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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

ECONOMIC STABILIZATION AGENCY; OFFICE OF WAGE STABILIZATION

Effective upon publication in the FEDERAL REGISTER, subparagraphs (9) and (10) are added to § 6.155 (c) as set out below:

§ 6.155 *Economic Stabilization Agency.* * * *

(c) *Office of Wage Stabilization.* * * *

(9) Not to exceed 4 positions of Executive Assistant to Members of Regional Wage Stabilization Boards in each of the 14 Regional Offices of such Board.

(10) Position of Member, Review and Appeals Committee of the Wage Stabilization Board.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633. E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp. E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 51-12159; Filed, Oct. 9, 1951; 8:47 a. m.]

Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State

[Departmental Reg. 108.141]

PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11, *Designation of differential posts,* is amended as follows, effective on the date indicated:

1. Effective as of the beginning of the first pay period following October 13, 1951, paragraph (d) is amended by the addition of the following post:

Ciudad Trujillo, Dominican Republic.

Issued: October 2, 1951.

(Sec. 102, Part I, E. O. 10000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

For the Secretary of State.

W. K. SCOTT,
Deputy Assistant Secretary.

[F. R. Doc. 51-12120; Filed, Oct. 9, 1951; 8:45 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter A—Farm Housing Loans and Grants

PART 301—BASIC REGULATIONS

Subchapter B—Farm Ownership Loans

PART 311—BASIC REGULATIONS

TEMPORARY CREDIT RESTRICTIONS

Sections 301.3 and 311.8, Title 6, Code of Federal Regulations, are revised to (a) consolidate the regulations containing temporary credit restrictions on Farm Housing and Farm Ownership loans, (b) modify the tables of maximum dwelling loans in conformity with requirements issued pursuant to the Defense Production Act of 1950 as amended by the Defense Production Act Amendments of 1951 and the Defense Housing and Community Facilities and Services Act of 1951, (c) add credit restrictions on subsequent loans, and (d) make certain minor clarifying or incidental changes of language.

1. Section 301.3, Title 6, Code of Federal Regulations (15 F. R. 8148, 16 F. R. 2321, 16 F. R. 9295), is revoked.

NOTE: The material contained in § 301.3 is amended and consolidated with similar regulations concerning the Farm Ownership program in § 311.8.

2. Section 311.8, Title 6, Code of Federal Regulations (15 F. R. 8148, 16 F. R. 2321, 16 F. R. 9298), is amended to read as follows:

§ 311.8 *Farm Housing and Farm Ownership temporary credit restrictions*—(a) *General.* (1) Compliance with requirements issued pursuant to the Defense Housing and Community Facilities and Services Act of 1951 necessitates modification of credit restrictions pre-

(Continued on p. 10307)

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FEDERAL REGISTER

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CODIFICATION GUIDE

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CODIFICATION GUIDE—Con.

viously established pursuant to the Defense Production Act of 1950 for dwellings financed with Farm Housing or Farm Ownership funds.

(2) Farm Housing and Farm Ownership loans in the continental United States (not including Alaska) approved by the State Field Representative on or after September 1, 1951, must comply with the applicable credit restrictions set forth in this section; except that these restrictions will not apply to Farm Ownership loans for which applications were received before October 12, 1950 and which were approved before October 1, 1951.

(3) The credit restrictions established by this section apply only to Farm Housing and Farm Ownership funds advanced for dwelling construction as defined in paragraph (b) (1) of this section, do not apply to amounts loaned for other purposes, and do not apply to any case in which the amount of Farm Housing or Farm Ownership funds to be used for dwelling construction is $2,500 or less.

(b) *Definitions.* As used in this section the terms listed below have the following meanings:

(1) *Dwelling construction.* The term dwelling construction includes all new construction, repair, alteration, or improvement planned for any dwellings in connection with a Farm Housing or Farm Ownership loan, including all sanitary facilities such as septic tanks or privies.

(2) *Cost of dwelling construction.* The cost of dwelling construction is the Engineer's estimate of the cost of the new construction, repair, alteration, or improvement planned for the dwelling, including the value of all materials and labor to be utilized in the proposed construction.

(3) *Transaction price.* The transaction price is the Engineer's estimate of the cost of the proposed dwelling construction as defined in subparagraph (2) of this paragraph, plus, in case the construction is a new dwelling, 5 percent of such cost as an allowance for the building site. The 5 percent allowance for the building site will not be included in the transaction price of dwelling repair, alteration, or improvement.

(4) *Cash cost of dwelling construction.* The cash cost of dwelling construction is the amount of cash determined by the Engineer to be necessary to complete planned dwelling construction. This will include funds furnished by the borrower as well as loan funds.

(c) *Maximum dwelling loan.* The maximum amount of Farm Housing or Farm Ownership funds that may be loaned to a qualified applicant for dwelling construction purposes is a specified percentage of the transaction price, depending upon the transaction price group within which the planned dwelling construction falls and whether or not the applicant has veteran preference.

(1) The maximum loans for dwelling construction purposes are set forth in the following table:

Transaction price of dwelling (as defined in par. (b) (3) of this section)	Maximum dwelling loan (veteran preference)	Maximum dwelling loan (no veteran preference)
More than $2,500 but not more than $7,000.	96 percent of transaction price.	90 percent of transaction price.
More than $7,000 but not more than $10,000.	94 percent of transaction price.	85 percent of transaction price.
More than $10,000 but not more than $12,000.	92 percent of transaction price.	80 percent of transaction price.
More than $12,000 but not more than $15,000.	$11,040 plus 17 percent of excess over $12,000.	$9,600 plus 40 percent of excess over $12,000.
More than $15,000 but not more than $20,000.	$11,550 plus 25 percent of excess over $15,000.	$10,800 plus 20 percent of excess over $15,000.
More than $20,000 but not more than $24,500.	$12,800 plus 15 percent of excess over $20,000.	$11,800 plus 10 percent of excess over $20,000.
More than $24,500.	55 percent of transaction price.	50 percent of transaction price.

NOTE: The complete schedule of maximum dwelling loans as issued by other Federal agencies is included in paragraph (c) (1) of this section even though Farm Ownership and Farm Housing loans will not include sufficient funds for dwelling construction to fall within the upper brackets.

(d) *Maximum amortization period—*(1) *Farm housing.* The maximum amortization periods established by this section apply to each Farm Housing loan which includes more than $2,500 for dwelling construction purposes.

(i) The maximum period over which a Farm Housing loan which includes more than $2,500 but not more than $12,000 for dwelling construction purposes may be amortized is 25 years.

(ii) The maximum period over which a Farm Housing loan which includes more than $12,000 for dwelling construction purposes may be amortized is 20 years.

(2) *Farm Ownership.* The maximum amortization periods established by this section apply to each direct and insured Farm Ownership loan where more than $2,500 for dwelling construction purposes is included, and the funds to be advanced for dwelling construction purposes exceed 75 percent of the total loan for all purposes.

(i) When that portion of the Farm Ownership loan to be advanced for dwelling construction purposes is more than $2,500 and not more than $12,000, and if the amount to be advanced for dwelling construction purposes exceeds 75 percent of the total loan for all purposes, the maximum amortization period of the total loan is 25 years.

(ii) When that portion of the Farm Ownership loan to be advanced for dwelling construction purposes is more than $12,000, and if the amount to be advanced for dwelling construction purposes exceeds 75 percent of the total loan for all purposes, the maximum amortization period of the total loan is 20 years.

(iii) Loans which either include not more than $2,500 for dwelling construction purposes or include for dwelling construction purposes not more than 75 percent of the total loan for all purposes may be amortized for not more than 40 years in accordance with present procedure.

(e) *Application of credit restrictions to subsequent Farm Housing loans.* The credit restrictions established by this section will apply as follows to subsequent loans authorized in Subpart B of Part 305 of this chapter:

(1) *Initial loan approved prior to August 11, 1950.* When the proposed subsequent loan is for the purpose of completing planned dwelling construction for which an initial loan was approved prior to August 11, 1950, the credit restrictions will not apply.

(2) *Initial loan approved on or after August 11, 1950.* For each proposed subsequent loan to be made to a borrower whose initial loan was approved on or after August 11, 1950, the amounts included in both loans for dwelling construction will be added together for the purpose of applying the credit restrictions.

(i) In determining compliance with the "maximum dwelling loan" requirements, the loan approval officer will consider the "transaction price" of all of the dwelling construction planned in connection with the initial and subsequent advances and the total amounts included in both advances for dwelling construction.

(ii) When the total of the amounts included in the initial and subsequent advances for dwelling construction exceeds $2,500, the total advances must comply with the "maximum amortization period" requirements of paragraph

(d) of this section. In order to assure compliance with these requirements, where the total of both advances for dwelling construction exceeds $2,500 but does not exceed $12,000, the subsequent advance will be amortized over a period of not more than 20 years from the date of the subsequent loan. If the initial loan in a case of this type was amortized over a 33-year period, it will be reamortized over a 25-year period from the date of the initial loan. Where the total of both advances for dwelling construction exceeds $12,000, the subsequent advance will be amortized over a period of not more than 15 years from the date of the subsequent loan. If the initial loan in a case of this type was amortized over a 25- or 33-year period, it will be reamortized over a 20-year period from the date of the initial loan. The Area Finance Office will, when necessary, reamortize the initial advance as of the date of the check for the subsequent advance.

(f) *Application of credit restrictions to subsequent Farm Ownership loans.* The credit restrictions established by this section will apply as follows to subsequent direct and insured Farm Ownership loans.

(1) Credit restrictions will not apply to subsequent loans for completion of dwelling construction planned in connection with the initial loan in cases where the application for the initial loan was received before October 12, 1950, and the initial loan was approved before October 1, 1951.

(2) Credit restrictions will apply to subsequent loans for completion of planned dwelling construction in all cases where the application for the initial loan was received on or after October 12, 1950, and in those cases where the application for the initial loan was received before October 12, 1950, but the initial loan was approved on or after October 1, 1951. When the proposed subsequent loan in this type of case includes funds for the purpose of completing dwelling construction planned in connection with the initial loan, the amounts included in both the initial loan and the subsequent loan for dwelling construction will be added together for the purpose of applying credit restrictions.

(i) *General; subsequent direct and insured loans.* In determining compliance with the "maximum dwelling loan" requirement, the loan approval officer will consider the "transaction price" of all of the dwelling construction planned in connection with the initial and subsequent loans and the total amounts included in both loans for dwelling construction.

(ii) *Subsequent direct loans.* (a) When the total of the amounts included in the initial and subsequent loans for dwelling construction purposes is more than $2,500 and not more than $12,000, and if this total exceeds 75 percent of the sum of the initial and subsequent loans, the unpaid balance of the initial loan will be reamortized over a 25-year period from the date of the initial loan and the subsequent loan will be amortized so as to mature within the same period.

(b) When the total of the amounts included in the initial and subsequent loans for dwelling construction is more than $12,000, and if this total exceeds 75 percent of the sum of the initial and subsequent loans, the unpaid balance of the initial loan will be reamortized over a 20-year period and the subsequent loan will be amortized so as to mature within the same period.

(c) When the total of the amounts included in the initial and subsequent loans for dwelling construction is $2,500 or less, or is less than 75 percent of the sum of the initial and subsequent loans, the subsequent loan will be amortized and the initial loan will be reamortized in accordance with Part 333 of this chapter.

(d) The Area Finance Office, when necessary, will reamortize the initial loan as of the date of the check for the subsequent loan.

(iii) *Subsequent insured loans.* (a) When the total of the amounts included in the initial and subsequent loans for dwelling construction purposes is more than $2,500 and not more than $12,000, and of this total exceeds 75 percent of the amount of the new note, the subsequent loan will be amortized over a period of 25 years.

(b) When the total of the amounts included in the initial and subsequent loans for dwelling construction is more than $12,000 and if this total exceeds 75 percent of the amount of the new note, the subsequent loan will be amortized over a period of 20 years.

(c) When the total of the amounts included in the initial and subsequent loans for dwelling construction is $2,500 or less or is less than 75 percent of the amount of the new note, the subsequent loan will be amortized in accordance with §§ 361.26–361.30 of this chapter.

(3) *Subsequent direct or insured loans for dwelling construction not previously planned*—(i) *Initial loan not subject to credit restriction.* When the proposed subsequent loan includes funds for dwelling construction not planned in connection with the initial loan and the initial loan was not subject to credit restrictions as described in subparagraph (1) of this paragraph, credit restrictions will apply to the subsequent loan on the same basis as an initial loan.

(ii) *Initial loan subject to credit restrictions.* When the proposed subsequent loan includes funds for dwelling construction not planned in connection with the initial loan and the initial loan was subject to credit restrictions as described in subparagraph (2) of this paragraph and the cost of dwelling construction included in the initial and subsequent loan exceeds $2,500, the two loans will be considered together and processed in accordance with the procedure provided in subparagraph (2) of this paragraph.

(g) *Waiver of credit restrictions.* (1) The Administrator may waive the credit restrictions established by this section when it is necessary to make further advances to protect the Government's security for outstanding loans.

(2) The State Director may waive the credit restrictions established by this section when the Farm Housing or Farm Ownership loan includes funds for the replacement, reconstruction, or repair of a farm dwelling destroyed or substantially damaged by flood, fire, or similar casualty, upon written certification by the applicant that he experienced such loss or damage to the dwelling on his farm and that the loan funds will be used to reconstruct or repair the dwelling, or in case of unusually severe damage or a total loss, provide a new dwelling. The applicant's certification should be obtained at the time he applies for Farm Housing or Farm Ownership assistance. This certification should be in the following form:

I certify that the dwelling(s) on my farm has (have) been damaged by _____ (Insert type of casualty) and that the requested loan funds will be used to reconstruct, repair, or replace the damaged dwelling(s).

_____ Date

_____ Signature of applicant

This section is promulgated in compliance with a determination of the Housing and Home Finance Administrator acting pursuant to E. O. 1061, September 9, 1950, 15 F. R. 6105, that such promulgation is necessary to carry out the purposes of Title VI of the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 69, 82d Cong., Pub. Law 96, 82d Cong., Pub. Law 139, 82d Cong.). It shall be applicable notwithstanding any other provisions of this subchapter or Subchapter A and shall terminate upon the termination of E. O. 1061 unless terminated earlier by proper authority.

(Sec. 510, 63 Stat. 437, sec. 41, 50 Stat. 528, as amended; 42 U. S. C. Sup. 1480, 7 U. S. C. 1015. Interprets or applies sec. 605, 64 Stat. 814, as amended, sec. 602, Pub. Law 139, 82d Cong.; 50 U. S. C. App. Sup. 2135, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.)

DERIVATION: § 311.8 contained in order of the Administrator dated October 3, 1951.

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

OCTOBER 3, 1951.

Approved October 3, 1951.

CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-12182; Filed, Oct. 9, 1951; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 61]

PART 601—DESIGNATION OF CONTROL AREAS, CONTROL ZONES, AND REPORTING POINTS

CONTROL AREA ALTERATIONS

The control area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are

adopted when indicated in order to promote safety of the flying public. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to public interest, and therefore is not required.

Part 601 is amended as follows:

1. Section 601.216 *Red civil airway No. 16 control areas (Tallahassee, Fla., to Florence, S. C.)*, is amended by changing last portion to read "from the Columbia, S. C. omnirange station to the Florence, S. C., omnirange station via the intersection of the Columbia, S. C. omnirange 90° True en route radial and the Florence, S. C., 226° True en route radial, excluding the portion which overlaps the Fort Jackson danger area."

2. Section 601.1072 *Control area extension (Sumter, S. C.)*, is amended by adding the following to present control area extension: "excluding the portion which overlaps the Shaw AFB danger area."

3. Section 601.1134 *Control area extension (Columbus, Ga.)*, is amended by changing last portion to read: "and within 5 miles either side of a line bearing 235° True through the Muscogee County Airport, Columbus, Ga., outer compass locator extending from Red civil airway No. 84 on the northeast to Red civil airway No. 84 on southwest."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective 0001 e. s. t., October 6, 1951.

[SEAL] F. B. LEE,
Acting Administrator of Civil Aeronautics.

[F. R. Doc. 51-12149; Filed, Oct. 9, 1951; 8:45 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—CERTIFICATION OF BATCHES OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

ANTIBIOTIC DRUGS FOR INVESTIGATIONAL USE

By virtue of the authority vested in the Federal Security Administrator by the provisions of section 507 of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 1055, as amended by 59 Stat. 463, 61 Stat. 11, 63 Stat. 409; 21 U. S. C. 357), the regulations for certification of batches of antibiotic and antibiotic-containing drugs (21 CFR 146.1 et seq. and 1950 Supp.) are amended as indicated below:

Section 146.23 *Exemptions for investigational use* is amended in the following respects:

1. Paragraph (a) (4) is amended by adding the following new sentence at the end thereof: "This subparagraph shall not apply when such shipment or delivery is made to an agency of the Government of the United States (including the National Research Council) or to any State or municipality whose official functions involve investigations of such drugs by such experts."

2. Paragraphs (b) and (c) are amended to read as follows:

(b) A shipment or other delivery of a drug which is being imported or offered for import into the United States shall be exempt from section 502 (l) of the act if all the following requirements are complied with:

(1) The label of such drug bears the batch mark and the statement "Caution—Limited by Federal law to investigational use only."

(2) The importer of such shipments or deliveries is an agent of the foreign exporter, residing in the United States, or the operator of an establishment in the United States which has facilities for regularly investigating the safety or efficacy of such drugs, which facilities are manned by experts qualified by scientific training and experience to conduct such investigation.

(3) Such operator uses such drug solely for such investigation in such establishment, or such operator or agent otherwise disposes of such drug only to, and solely for, investigational use by or under the direction of such an expert other than one in such an establishment.

(4) Such importer, prior to disposing of any of such drug to such an expert, obtains a statement signed by such expert showing that he has adequate facilities for the investigation to be conducted by him, and that such drug will be used solely by him or under his direction for the investigation. Such importer shall keep such statement. This subparagraph shall not apply to any shipment or delivery or part thereof disposed of by such importer to an agency of the Government of the United States (including the National Research Council) or to any State or municipality whose official functions involve investigations of such drugs by such experts.

(5) Such importer who introduced such shipment or delivery into interstate commerce keeps complete records showing the date, quantity, and batch mark of each such shipment and delivery.

(6) Such importer makes all documents referred to in subparagraphs (4) and (5) of this paragraph available to any officer or employee of the Food and Drug Administration at any reasonable hour within 3 years after the date of such shipment or delivery by such importer.

(c) An exemption under paragraph (a) or (b) of this section shall become void ab initio if any record or statement required by such paragraph to be kept and made available for inspection is not kept or made available as so required.

3. Paragraphs (d), (e), and (f) are added to read as follows:

(d) An exemption under paragraph (a) or (b) of this section shall expire with respect to any exempted shipment or delivery or part thereof which has been supplied to an expert who has signed the statement referred to in paragraph (a) (4) or (b) (4) of this section and which is used otherwise than in accordance with such signed statement.

(e) An exemption under paragraph (b) of this section shall become void ab initio if the exempted shipment or delivery or any part thereof is disposed of otherwise than as provided by subparagraph (3) of such paragraph.

(f) No exemption under paragraph (b) of this section shall apply to any shipment or delivery to such importer if such importer, within 3 years prior to the offering of such shipment or delivery for import, has caused an exemption to become void as provided by paragraph (c) or (e) of this section.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interprets or applies sec. 507, 59 Stat. 463, as amended; 21 U. S. C. and Sup. 357)

This order, which provides for exemption from certification of antibiotic drugs imported for investigational use, shall become effective upon publication in the FEDERAL REGISTER.

Dated: October 4, 1951.

[SEAL] JOHN L. THURSTON,
Acting Administrator.

[F. R. Doc. 51-12172; Filed, Oct. 9, 1951; 8:47 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amdt. 3 to Supplementary Regulation 10]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

SR 10—POSTPONEMENT OF PRICE CALCULATIONS FOR CERTAIN RUBBER PRODUCTS

OPTIONAL POSTPONEMENT OF PRICE REQUIREMENTS FOR CERTAIN RUBBER PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment 3 to Supplementary Regulation 10 to Ceiling Price Regulation 22 is hereby issued.

STATEMENT OF CONSIDERATIONS

Supplementary Regulation 10 to Ceiling Price Regulation 22 permits manufacturers of certain molded, extruded and cut mechanical rubber goods to postpone until September 30, 1951 their ceiling price calculations under CPR 22 for any such item whose sales value during the second calendar quarter of 1951 amounted to less than $10,000. The reasons for such optional postponement are sufficiently set forth in the statement of considerations accompanying SR 10 and are equally applicable to this amendment.

At the time of issuance of SR 10 it was anticipated that an easier price determining method, and one more suitable to the accounting practices of manufacturers of these items, would be formulated under which such mechanical rubber goods could be priced. Consultations, both formal and informal, with representatives of the industry have not yet resulted in the formulation of such alternative pricing method though the Office of Price Stabilization is moving forward in that direction.

Although CPR 22 has not been made mandatorily effective, nevertheless, since some manufacturers have made CPR 22 effective as to them, it appears desirable to permit manufacturers of those items to continue to determine their prices under GCPR rather than to apply the calculations under CPR 22 until such time as an alternative and easier method is provided.

Accordingly, this amendment extends the period during which manufacturers may, whether or not they have made CPR 22 effective as to them, continue to determine their prices under GCPR for those mechanical rubber goods items whose sales value during the second calendar quarter of 1951 amounted to less than $10,000.

Insofar as practicable, there has been consultation with this industry concerning the extension of the postponement provisions of SR 10 on which there has been general agreement.

AMENDATORY PROVISIONS

SR 10 to CPR 22 is amended by deleting from paragraph (c) of section 2, the date September 30, 1951 and the words "or until" immediately following such date and the last phrase of the sentence so that the paragraph now reads:

(c) If you manufacture molded, extruded, or cut mechanical rubber goods items as defined in paragraphs (a) and (b) of this section and your sales during the second calendar quarter of 1951 for any one such item totaled less than $10,000, then as to such item instead of calculating your ceiling price under CPR 22 you may elect to continue your GCPR ceiling price until this section is revoked.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective October 15, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 9, 1951.

[F. R. Doc. 51-12252; Filed, Oct. 9, 1951; 11:06 a. m.]

[Ceiling Price Regulation 57, Amdt. 1 to Supplementary Regulation 1]

CPR 57—CEILING PRICES FOR ANTI-FREEZE

SR 1—STANDARD TYPE N ANTI-FREEZE

CLARIFICATION OF METHOD FOR PRICING PRIVATE BRAND TYPE N ANTI-FREEZE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 1 to Supplementary Regulation 1 to Ceiling Price Regulation 57 is hereby issued.

STATEMENT OF CONSIDERATIONS

Both Ceiling Price Regulation 57 and Supplementary Regulation 1 thereto contain special provisions for determining the ceiling prices for private brand anti-freezes. These provisions are set forth in section 3 (b) of CPR 57 and in a similar manner in section 2 (b) of SR 1 thereto. Some questions arose as to coverage intended because of the use of the phrase "and if you are not a manufacturer" in section 3 (b) of CPR 57. As used therein, the term "manufacturer" was intended to apply to and, therefore, exclude from its scope, only a manufacturer who produces anti-freeze for resale generally, as distinguished from one who produces anti-freeze for sale through his own, affiliated or other exclusive channels. Section 3 (b) of CPR 57 has been amended to make it clear that the method of pricing provided by that section applies not only to retail dealers who have their private brand anti-freeze manufactured for them by others, but also applies to retail dealers who can technically be regarded as manufacturers of their own private brand anti-freeze. This amendment makes a similar change in the corresponding section 2 (b) of SR 1 to CPR 57.

The amendment also makes another minor change in section 2 (b) to permit a dealer to apply for the establishment of a ceiling price if he is now selling his private brand anti-freeze in container sizes different from those sold during the base period.

In view of the corrective and routine nature of this amendment, the Director has not found it practicable or necessary to consult formally with industry representatives.

AMENDATORY PROVISIONS

Supplementary Regulation 1 to Ceiling Price Regulation 57 is amended in the following respects:

1. That portion of paragraph (b) of section 2 which precedes subparagraph (1) is amended by deleting the phrase "and if you are not a manufacturer," so as to make it read as follows:

(b) *Private brands.* If you sell standard type N anti-freeze at retail under your own brand name, your ceiling prices for sales at retail are determined as follows:

Subparagraphs (1), (2) and (3) of section 2 (b) remain unchanged.

2. Section 2 (b) is further amended by adding at the end thereof the following subparagraph:

(4) If you are now selling anti-freeze in container sizes different from those which you sold during the base period, apply for a ceiling price under section 8 of CPR 57.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment shall become effective October 15, 1951.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 9, 1951.

[F. R. Doc. 51-12254; Filed, Oct. 9, 1951; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 19]

GENERAL CEILING PRICE REGULATION

EXEMPTION OF HOME-PRODUCED COMMODITIES NOT EXCEEDING $1000 IN ANY ONE CALENDAR MONTH

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105) and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 19 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment to the General Ceiling Price Regulation increases the exemption for commodities made in the seller's home, for his own account and without the assistance of hired employees, from $200 in any one calendar month to $1,000.

Experience in the administration of this regulation has demonstrated that the present limitation of the exemption to $200 per month is too low and should be increased to $1,000 per month.

The additional home-manufactured commodities exempted by this amendment have an insignificant effect on the cost of living, the cost of the defense effort and general current industrial costs. Furthermore, the imposition of controls on these commodities has been found to involve an administrative and enforcement burden out of all proportion to the results which may be accomplished.

In view of the nature of this amendment, the Director has not found it practicable or necessary to consult formally with industry representatives.

AMENDATORY PROVISIONS

Section 14 (n) is amended to read as follows:

(n) Sales or deliveries of commodities made or produced by the seller at his home, solely for his own account, without the assistance of hired employees, if the total of such sales or deliveries does not exceed $1,000 in any one calendar month.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 19 to the General Ceiling Price Regulation shall become effective October 13, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

OCTOBER 9, 1951.

[F. R. Doc. 51-12253; Filed, Oct. 9, 1951; 11:06 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Treasury

[CGFR-51—28]

PART 45—ENLISTED PERSONNEL

OCTOBER 4, 1951.

By virtue of the authority vested in me by Title 14, United States Code, sections 351 and 633, the regulations contained in

§§ 45.01 to 45.60, inclusive, are cancelled effective upon publication of this order in the FEDERAL REGISTER and are superseded by new regulations reading as follows:

SUBPART 45.01—ENLISTMENTS

Sec.
45.01–1 Enlistments, general.
45.01–5 Authority.
45.01–10 Recruiting instructions.
45.01–15 Officers who may be authorized to effect enlistments.
45.01–20 Reasons for rejection.
45.01–25 Fraudulent enlistment.
45.01–30 Contract of enlistment.
45.01–35 Applications.

SUBPART 45.05—REENLISTMENTS

45.05–1 Reenlistments; definitions.
45.05–5 Term of reenlistment.
45.05–10 Effected by.
45.05–15 Physical examination.

SUBPART 45.10—DISCHARGES

45.10–1 Types of discharges.
45.10–5 Issuance of discharges.
45.10–10 Physical examination prior to discharge.

SUBPART 45.20—MISCELLANEOUS

45.20–1 Application for certificate in lieu of discharge.
45.20–5 Certificate in lieu of discharge (yellow).
45.20–10 Certificate in lieu of discharge (white).

AUTHORITY: §§ 45.01–1 to 45.20–10 issued under sec. 8, 18 Stat. 127, as amended; 14 U. S. C. 92. Interpret or apply sec. 1, 34 Stat. 200, as amended, sec. 6, 43 Stat. 106; 14 U. S. C. 35, 206.

SUBPART 45.01—ENLISTMENTS

§ 45.01–1 *Enlistments, general.* All enlistments in the Coast Guard shall be for general service without reference to any particular unit, and enlisted persons may be transferred as necessary from one unit to another.

§ 45.01–5 *Authority.* Original enlistments will be made only at regular recruiting stations unless otherwise authorized by the Commandant. An original enlistment is the enlistment of a man who has not had previous service in the Regular Coast Guard.

§ 45.01–10 *Recruiting instructions.* Instructions will be issued to recruiting officers by the Commandant from time to time setting forth the terms of enlistments for which men are to be accepted, the ratings in which enlistments may be made, the maximum and minimum ages for enlistments, and other qualifications for enlistments.

§ 45.01–15 *Officers who may be authorized to effect enlistments.* A commanding officer, an executive officer (under the direction of the commanding officer), and a recruiting officer shall be enlisting officers. When an enlistment is made by an enlisted person, the oath of allegiance shall be administered by a commissioned, commissioned warrant, or warrant officer, a notary public, or any other officer who may be authorized by law to administer such oaths.

§ 45.01–20 *Reasons for rejection.* None of the following persons shall be enlisted in the Coast Guard:

(a) An insane or intoxicated person.

(b) A person of known bad character.

(c) A person known to have committed a crime.

(d) A person who is a deserter from the military service of the United States.

(e) An unmarried person under 21 years of age who has not the consent of his father, only surviving parent, or legal guardian. If he has no parent or legal guardian residing in the United States or in the territory or possession of the United States where his enlistment is being made, his enlistment may be effected provided he executes a statement to that effect on the reverse side of the enlistment contract.

(f) A married person who does not submit a signed statement from his lawful wife that she understands and is agreeable to the contract upon which her husband is about to enter.

(g) A person who does not meet the standard physical requirements for enlistment. No waiver of physical defects will be granted for original enlistment.

§ 45.01–25 *Fraudulent enlistment.* When a person wilfully conceals any fact, circumstance, or condition, other than minority, that existed prior to enlistment that would have made him ineligible for enlistment, such enlistment, if voided by the Commandant, shall be fraudulent.

§ 45.01–30 *Contract of enlistment.* Under a contract of enlistment to serve for a specified term, unless sooner discharged by proper authority, an enlisted person is bound to serve during the full term of enlistment. The Government, however, is not bound to continue him in service for a single day, but may dismiss him at the very first moment or at any subsequent period whether with or without cause for so doing, provided the officer directing the discharge be proper authority. The Commandant is hereby designated the proper authority to terminate the contract of enlistment.

§ 45.01–35 *Applications.* Any person desiring to enlist in the Coast Guard should apply at a Coast Guard Recruiting Station. Inquiry concerning the location of recruiting stations may be addressed to the Commandant, U. S. Coast Guard, Washington 25, D. C., to any Coast Guard district commander, or to any other Coast Guard unit. If there is a Coast Guard unit in a particular locality, it will usually be listed in the local telephone directory. In processing an application for enlistment, the Coast Guard determines the mental, moral, and physical fitness of the applicant through reference to local police files, character references, employers, school authorities, and physical examination.

SUBPART 45.05—REENLISTMENTS

§ 45.05–1 *Reenlistments; definitions.* (a) The enlistment of any man who has previously served in the Regular Coast Guard shall be considered a reenlistment.

(b) An enlisted man must reenlist within 90 days from date of discharge in order to remain in continuous service status and to receive the benefits deriving therefrom.

§ 45.05–5 *Term of reenlistment.* A reenlistment shall be for a period of two, three, four, or six years as the Commandant may prescribe from time to time.

§ 45.05–10 *Effected by.* Reenlistments shall be effected by those authorized to effect original enlistments (§ 45.01–5), except that a person who is physically and otherwise qualified for reenlistment, who reenlists on the day following discharge, may be reenlisted at the unit from which discharged by the enlisting officer of the unit.

§ 45.01–15 *Physical examination.* (a) A man reenlisting within twenty-four hours after discharge is not required to take a physical examination prior to reenlistment provided he was found physically qualified for discharge in accordance with § 45.10–10.

(b) A man not reenlisting within twenty-four hours after discharge must pass the standard physical examination without waiver, except that the Commandant may waive an injury or disease incurred in line of duty.

SUBPART 45.10—DISCHARGES

§ 45.10–1 *Types of discharges.* (a) Upon separation from the Coast Guard for any other reason than death, an enlisted person shall be entitled to receive a discharge. Retirement or desertion shall not be considered separation from the Coast Guard. The types of discharges and corresponding character of separation shall be as follows:

Type of discharge	*Character of separation*
Honorable discharge	Honorable.
General discharge	Under honorable conditions.
Undesirable discharge	Conditions other than honorable.
Bad Conduct discharge	Conditions other than honorable.
Dishonorable discharge	Dishonorable.

(b) The type of discharge issued an enlisted person upon separation from the Coast Guard shall be determined by the reason for discharge and the character of service rendered during his period of enlistment.

§ 45.10–5 *Issuance of discharges.* (a) An honorable discharge may be issued to an enlisted person who is discharged for any one of the following reasons:

(1) Expiration of enlistment.

(2) Convenience of the Government.

(3) Dependency or hardship.

(4) Minority.

(5) Disability not the result of own misconduct.

(b) A general discharge shall be issued to an enlisted person who is discharged for any of the reasons set forth in paragraph (a) of this section if his conduct and performance of duty during his period of enlistment have been satisfactory but not sufficiently deserving or meritorious to warrant an honorable discharge. A general discharge shall be issued to an enlisted person who is discharged for either of the following reasons:

(1) Inaptitude.

(2) Unsuitability.

(c) An undesirable discharge shall be issued to an enlisted person who is discharged for either of the following reasons:

(1) Unfitness for reasons other than physical disability.

(2) Misconduct.

(d) Bad conduct discharges and dishonorable discharges shall only be issued to enlisted persons who are discharged in accordance with the approved sentences of Coast Guard courts-martial.

§ 45.10–10 *Physical examination prior to discharge.* The basic purpose of Title IV of the Career Compensation Act of 1949 (Pub. Law 351, 81st Cong.) is to provide a means of separating from the active list and from active service those men who become physically disabled for any further service, and one of the key provisions of the law is that one which says that no member of the service shall be separated or retired for physical disability without a full and fair hearing if such member shall demand it. In view of this provision, prior to discharge every enlisted person, except those being discharged for physical or mental disability, shall be given a standard physical examination, the results of which shall be recorded and made a part of the person's permanent record.

SUBPART 45.20—MISCELLANEOUS

§ 45.20–1 *Application for certificate in lieu of discharge.* A person whose discharge certificate has been lost or destroyed without privity or procurement on his part may make application for a certificate in lieu of discharge on Coast Guard Form 9552, which form may be obtained from the Commandant, U. S. Coast Guard, Washington 25, D. C. This application should be sent to the Commandant, where the application will receive consideration and either be accepted or rejected and the applicant so notified.

§ 45.20–5 *Certificate in lieu of discharge (yellow).* In case the applicant had received a discharge under other than honorable conditions, and should affirmative action be taken on the application for certificate in lieu of discharge, the Commandant will issue the applicant a certificate in lieu of discharge (yellow), Coast Guard Form 9553A.

§ 45.20–10 *Certificate in lieu of discharge (white).* In case the applicant had received a discharge under honorable conditions, and in case affirmative action is taken on the application for certificate in lieu of discharge, the Commandant will issue a certificate in lieu of discharge (white), Coast Guard Form 9553.

[SEAL] E. H. FOLEY,
Acting Secretary of the Treasury.

[F. R. Doc. 51–12180; Filed, Oct. 9, 1951; 8:49 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 31—PACIFIC REGION

SUBPART—PATHFINDER NATIONAL WILDLIFE REFUGE, WYOMING

FISHING

Basis and purpose. On the basis of observations and reports of field representatives of the Fish and Wildlife Service, it has been determined that fishing can be permitted on the waters within the Pathfinder National Wildlife Refuge without detriment to the primary purpose for which the refuge was established.

Inasmuch as the following regulations are relaxations of the existing regulations applicable to the Pathfinder National Wildlife Refuge, publication prior to the effective date is not required (60 Stat. 237; 5 U. S. C. 1001 et seq.).

Effective immediately upon publication in the FEDERAL REGISTER, the following subpart and sections are added:

Sec.
31.261 Fishing permitted.
31.262 Entry.
31.263 State fishing laws.
31.264 Temporary restrictions.

AUTHORITY: §§ 31.261 to 31.264 issued under sec. 101, 45 Stat. 1224; 16 U. S. C. 715i.

§ 31.261 *Fishing permitted.* Noncommercial fishing, in accordance with the laws and regulations of the State of Wyoming, is permitted during the daylight hours on all waters within the Pathfinder National Wildlife Refuge in accordance with the provisions of §§ 31.262 to 31.264, inclusive.

§ 31.262 *Entry.* Entry on and use of the refuge for any purpose are governed by the regulations in Parts 18 and 21 of this chapter and strict compliance therewith is required.

§ 31.263 *State fishing laws.* All fishermen must comply with the laws and regulations of the State of Wyoming and must have on their person and exhibit at the request of any authorized Federal or State officer, whatever license is required by such laws and regulations, which license shall serve as a Federal permit for fishing on the refuge.

§ 31.264 *Temporary restrictions.* During periods of waterfowl concentrations or other wildlife concentrations, fishing and entry may be limited or closed on such areas of the refuge as in the judgment of the officer in charge such limitations or restrictions are necessary in order to provide adequate protection for wildlife. Such limitations or restrictions are to be clearly designated by posting.

Dated: October 3, 1951.

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 51–12150; Filed, Oct. 9, 1951; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[26 CFR Part 29]

INCOME TAX; DISTRIBUTION IN REDEMPTION OR CANCELLATION OF STOCK TAXABLE AS A DIVIDEND

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given, pursuant to the Administrative Procedure Act, approved June 11, 1946, that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury. Prior to the final adoption of such regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing in duplicate to the Commissioner of Internal Revenue, Washington 25, D. C., within the period of 30 days from the date of publication of this notice in the FEDERAL REGISTER. The proposed regulations are to be issued under the authority of section 62 of the Internal Revenue Code (53 Stat. 32; 26 U. S. C. 62).

[SEAL] JOHN B. DUNLAP,
Commissioner of Internal Revenue.

Section 29.115–9 of Regulations 111 is amended by striking therefrom the third sentence of the second paragraph and inserting in lieu thereof the following: "On the other hand, a cancellation or redemption by a corporation of all the stock of a particular shareholder, so that the shareholder ceases to be interested in the affairs of the corporation, will generally not effect a distribution of a taxable dividend; however, where such shareholder is closely related to remaining shareholders, that factor will be considered along with all other circumstances of the case in determining whether the distribution is essentially equivalent to a dividend."

[F. R. Doc. 51–12179; Filed, Oct. 9, 1951; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 1, 10, 11, 16]

[Docket No. 10068]

ELIMINATION OF OBSOLETE FORMS AND REQUIREMENT OF USE OF NEW FORMS

NOTICE OF PROPOSED RULE MAKING

In the matter of amendments of Parts 1, 10, 11, and 16 of the Commission's rules to eliminate obsolete forms and require the use of proposed new application Form 400 and Amendment Request Form 400–A, and to make such editorial changes as are necessary; Docket No. 10068.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The proposed amendments set forth below of Parts 1, 10, 11, and 16 of the Commission's rules are intended to provide for the implementation of a proposed new application Form 400 and its instructions. The new form, attached,[1] is designed to simplify the procedures for applying for radio station authorizations in the Public Safety, Industrial, and Land Transportation Radio Services. Implementation of the new Forms 400 and 400–A will eliminate the need for Forms 401, 401–B, 403, 405, 701, 702, and 726, insofar as they pertain to the Public Safety, Industrial, and Land Transportation Radio Services. The Forms 401–C and 455 are for services no longer provided for in the Commission's rules, hence are deleted wherever indicated in Part 1.

3. The proposed new application form is designed to be used as an application for (a) new station; (b) modification; (c) renewal; (d) assignment of authorization; (e) license to cover construction permit. Upon approval of the application by the Commission, the original upper half of the application will be authenticated, designated as to type of authorization, and returned to the applicant as his station authorization.

4. The proposed Form 400–A entitled "Request for Amendment of Radio Station Authorization", also attached,[1] is intended to eliminate the necessity of submitting a complicated application form for a modification of authorization when certain specific changes, such as a change in location of control point, are to be made to a previously authorized radio station.

5. The Commission proposes to compile and maintain a list of transmitting equipment which is acceptable for licensing in the Public Safety, Industrial and Land Transportation Radio Services. As a temporary measure the list will be comprised of that equipment which is now regarded as meeting the requirements of the rules and as acceptable for licensing in these services. This list will not be available for distribution by the Commission to the general public. However, it will be available for inspection at the Commission's office in Washington, D. C. and at each of its field offices.

6. In the near future the Commission proposes to begin the compilation of a list of transmitting equipment which has been tested in accordance with prescribed test procedures and found to be in compliance with the rules. This list, when complete, will replace the temporary list and it is hoped that it can be put into effect by July 1, 1952. Detailed information concerning the test procedures and the steps to be taken by these persons who desire to have equipment included in the list will be released to the public in a subsequent notice of proposed rule making.

7. This notice is issued pursuant to authority contained in sections 303 (e), 303 (f), 303 (r), and 308 (b) of the Communications Act of 1934, as amended. Additional copies of the proposed forms may be obtained from the Commission.

8. Any interested person who is of the opinion that the proposed forms and amendments of the rules should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before November 3, 1951 a written statement or brief setting forth his comments. At the same time persons favoring the adoption of the forms and amendments of the rules as proposed may file statements in support thereof. Comments or briefs in reply to the original comments or briefs of other parties, may be filed within ten days from the last day for filing said original comments or briefs. The Commission will consider these written comments and if comments are submitted which appear to warrant the holding of an oral argument before final action is taken, notice of time and place of such oral argument will be given.

9. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and six copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: October 4, 1951.

Released: October 5, 1951.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

APPENDIX A

It is proposed that Part 1 rules relating to practice and procedure be amended as follows:

1. Table showing forms currently in effect and where they are referred to in Part 1 of the rules and regulations.

a. Delete the following forms which are for radio services no longer provided for in the Commission's rules:

401–C	§ 1.312 (d)
455	§ 1.312 (e)

b. Delete the following form which is superseded by the new form 400:

401–B	§ 1.312 (c)
402	§ 1.318 (b) (2)

c. Insert in the appropriate place in the table the following new forms:

400	§§ 1.312 (a), 1.317 (b) (5), 1.319 (b) (12), 1.320 (c) (11), 1.322 (b) (3).
400–A	§ 1.312 (b)

2. In § 1.312 revise text to indicate present names of services and presently used application forms as follows:

§ 1.312 *Application forms for construction permit or modification thereof; radio services other than broadcast.* Applications for new facilities or modifications thereof in the Fixed Public Radio Services, Experimental Radio Service Coastal and Marine Relay Services, Aviation Services, Public Safety Radio Services, Industrial Radio Services, Land Transportation Radio Services, and Radio Stations in Alaska shall be made on the following forms except as noted:

(a) FCC Form 400 "Application for Radio Station Authorization in the Public Safety, Industrial and Land Transportation Radio Services." This form is used in these services for New Station, Modification, Renewal, Assignment of Authorization, or License to cover Construction Permit.

(b) FCC Form 400–A "Request for Amendment of Radio Station Authorization." This form may be used when requesting certain amendments to an existing radio station authorization, as enumerated on the form and specified in the rules for the particular Service.

(c) FCC Form 401 "Application for new or modified Radio Station Construction Permit (other than Broadcast, Public Safety, Industrial, or Land Transportation Radio Services)."

(d) FCC Form 401–A, "Description of Proposed Antenna Structure(s) (services other than Broadcast)."

3. In § 1.313 revise present text of this section to read as follows:

§ 1.313 *Installation or removal of apparatus; broadcast and nonbroadcast.* Application for construction permit or modification thereof involving the installation of new transmitting apparatus shall be filed at least sixty days prior to the contemplated installation.

NOTE: In the Public Safety, Industrial, and Land Transportation Radio Services replacement of transmitting equipment may be made without prior authorization provided the replacement transmitters appear on the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services"[1] and provided the substitute equipment employs the same type of emission and does not exceed the power limitations as set forth in the station authorization.

4. In § 1.314 revise paragraph (b) to read as follows:

(b) Application for extension of time within which to construct a station shall be filed on FCC Form 701, except in the Public Safety, Industrial, and Land Transportation Radio Services when FCC Form 400–A shall be used. Such application shall be filed at least 30 days prior to the expiration date of the construction permit if the facts supporting such application for extension are known to the applicant in time to permit such filing. In other cases such applications will be accepted upon a showing satisfactory to the Commission of sufficient reasons for filing within less than 30 days prior to the expiration date. Such applications will be granted upon a specific and detailed showing that the failure to complete was due to causes not under the control of the grantee, or upon a

[1] Filed as part of the original document.

[1] As a temporary measure the list will be comprised of that equipment which is now regarded as meeting the requirements of the rules and as acceptable for licensing in these services. The Commission proposes to begin the compilation of a list of transmitting equipment which has been tested in accordance with prescribed test procedures and found to be in compliance with the rules. This list, when complete, will replace the temporary list, and it is hoped that it can be put into effect by July 1, 1952.

specific and detailed showing of other matter sufficient to justify the extension.

5. In § 1.317 revise list under paragraph (b) to include additional subparagraph (5) as follows:

(5) FCC Form 400 "Application for Radio Station Authorization in the Public Safety, Industrial and Land Transportation Radio Services." Check Item 13 to indicate application for License to cover Construction Permit.

6. In § 1.319 revise list under paragraph (b) to include additional subparagraph (10), as follows:

(10) FCC Form 400 "Application for Radio Station Authorization in the Public Safety, Industrial, and Land Transportation Radio Services." Check Item 13 to indicate application for Modification.

7. In § 1.320 revise list under paragraph (c) to include additional subparagraph (12), as follows:

(12) FCC Form 400 "Application for Radio Station Authorization in the Public Safety, Industrial, and Land Transportation Radio Services"—to be used for all applications for renewal of regular licenses in these services.

8. In § 1.322 revise paragraph (b) to include additional subparagraph (3) as follows:

(3) FCC Form 400 "Application for Radio Station Authorization in the Public Safety, Industrial, and Land Transportation Radio Services" to be used for application for station authorization when station is being transferred. Attached thereto shall be a notarized letter from transferor stating his desire to transfer and assign his current authorization in accordance with Subpart B of this part governing the particular service involved.

APPENDIX B

It is proposed that Part 10, rules governing Public Safety Radio Services be amended as follows:

1. In § 10.6 delete last sentence and substitute the following: "Requests for authority to transfer or assign a station authorization may be submitted in accordance with § 10.55 (b) or (d) of Subpart B of this part."

2. In § 10.7 add new paragraph:

(c) Each application for a mobile station proposing to receive coordinated service shall be accompanied by a letter from the licensee of the base station concerned indicating that the proposed coordinated service will be rendered.

3. In § 10.8 add new section, text of which was transferred from § 10.57, as follows:

§ 10.8 *Frequency coordination procedures.* (a) Except for application in the special emergency service, each application requesting assignment of a frequency not previously authorized for use by the applicant shall be accompanied by information in the form required by either paragraph (b) or (c) of this section.

(b) (1) A statement under oath that all existing licensees in the same service located within a radius of 75 miles of the proposed station and operation on frequencies within the band proposed to be used by the applicant have been notified of the applicant's intention to request the particular frequency; and

(2) A report based on a field study covering an area within a radius of 75 miles of the proposed station, indicating the probable interference to existing stations operating in the same service in the band requested.

(c) In lieu of the statement and report described in paragraph (b) of this section, the applicant may submit a statement from a frequency advisory committee commenting upon the frequency requested and giving the opinion of the committee regarding the probable interference to existing stations. The frequency advisory committee must be so organized that it is representative of all persons involved who are eligible for radio facilities in the service concerned in the area the committee purports to represent and for which recommendations are made. The functions of such committees are purely advisory in character and their comments and recommendations are not binding upon the Commission.

4. Delete present title of Subpart B and substitute the following: "Applications, Authorizations and Notifications."

5. In § 10.52 delete title and text of this section and substitute the following:

§ 10.52 *Procedure for obtaining a radio station authorization and for commencement of operation.* (a) Persons desiring to install and operate radio transmitting equipment should first submit an application for a radio station authorization in accordance with § 10.55 (a).

(b) When construction permit only has been issued for a base, fixed or mobile station and installation has been completed in accordance with the terms of the construction permit and the applicable rules of the Commission, the permittee shall proceed further as follows:

(1) Notify the Engineer-in-Charge of the local radio district of the date on which the transmitter will first be tested in such manner as to produce radiation, giving name of the permittee, station location, call sign, and frequencies on which tests are to be conducted. This notification shall be made in writing at least two days in advance of the test date; however, no reply from the radio district office is necessary before the tests are begun.

(2) After testing, but on or before the date when the station is first used for operational purposes, mail to the Commission in Washington, D. C., an application on FCC Form 400 for license or modification of license, as appropriate in the particular case. The station may thereafter be used as though licensed, pending Commission action on the license application.

(c) When a construction permit and license for a new base, fixed or mobile station are issued simultaneously the licensee shall notify the Engineer-in-Charge of the local radio district of the date on which the transmitter will be placed in operation, giving name of licensee, station location, call sign, and operating frequencies. This notification shall be made in writing on or before the day on which operation is commenced.

(d) Except in those cases in which a new frequency or a change in frequency is involved, when a construction permit and modification of license for a base, fixed or mobile station are issued simultaneously, the station may be modified and placed back in operation without notification to the Engineer-in-Charge of the local radio district.

6a. In § 10.53 (c) delete second sentence and substitute the following: "In particular, applications involving the installation of new equipment shall be filed at least sixty days prior to the contemplated installation."

b. In paragraph (d) delete present language and substitute the following:

(d) Failure on the part of the applicant to provide all the information required by the application form or to supply the necessary exhibits or supplementary statements may constitute a defect in the application.

c. In paragraph (e) delete present language and substitute the following:

(e) Applications involving operation at temporary locations.

(1) When a base station or a fixed station is to remain at a single location for less than one year, the location is considered to be temporary. An application for authority to operate at temporary locations shall specify the general geographic area within which the operation will be confined. The area specified may be a city, a county or counties, a state or states, "Gulf Coast area," "Eastern U. S.", etc.

(2) When a base station or fixed station authorized to operate at temporary locations remains at a single location for more than one year, an application for modification of the station authorization to specify the permanent location shall be filed within thirty days after expiration of the one year period.

7. In § 10.55 delete present language and substitute the following:

§ 10.55 *Application forms to be used.* (a) A separate application shall be submitted on FCC Form 400 for the following:

(1) New station authorization for a base or fixed station.

(2) New station authorization for any required number of mobile units (including hand-carried or pack-carried units) to be operated in the same service.

NOTE: An application for mobile units may be combined with an application for a single base station in those cases where the mobile units will operate with that base station in a single radio communication system.

(3) License for any class of station upon completion of construction or installation in accordance with the terms and conditions set forth in the construction permit.

(4) Modification of combined construction permit and station license for changes outlined in § 10.65 (a).

(5) Modification of construction permit.

(6) Modification of station license.

(7) Renewal of station license.

Any of the foregoing applications will, upon approval and authentication by the Commission, be returned to the applicant as a specifically designated type of authorization.

(b) When the holder of a station authorization desires to transfer to another person the legal right to construct or to control the use and operation of a radio station he shall submit to the Commission a notarized letter in which he states that it is his desire to transfer and assign his right, title, and interest in and to the current authorization for his radio station, stating the file number and expiration date of his authorization and the call sign and location of station. This letter shall also include a statement that the transferor will submit his current station authorization for cancellation upon completion of the transfer of the control of the station. Enclosed with this letter shall be an application for Assignment of Authorization on FCC Form 400 prepared by and in the name of the person to whom the station is being transferred.

(c) A separate application may be submitted on FCC Form 400–A for certain changes to authorized stations as specified in § 10.65 (b).

(d) A separate application shall be submitted on FCC Form 703 whenever it is proposed to change, as by transfer of stock-ownership, the control of a corporate permittee or licensee.

(e) An application not submitted on a standard form prescribed by the Commission is considered to be an informal application. Each informal application shall be submitted in duplicate, normally in letter form, and with the original signed under oath or affirmation. Each application shall be clear and complete within itself as to the facts presented and the action desired.

8. Delete § 10.57; and transfer text to § 10.8.

9. In § 10.58 delete present language and substitute the following:

§ 10.58 *Supplementary information to be submitted with application.* Each application for station authorization shall be accompanied by such supplemental information listed below as may be required:

(a) Statement with respect to frequency selection and coordination:

(1) Any statements or showings, required by the appropriate subpart of this part, in connection with the use of the frequency requested.

(2) Evidence of frequency coordination as required by § 10.8.

(b) Statements justifying the need when more frequencies are desired than are normally assigned to a single applicant under the appropriate subpart of this part.

(c) Statement describing the type of emission to be used if it cannot be described as "8A3" or "40F3" pursuant to Subpart C of this part.

(d) Description of the antenna system, on FCC Form 401–A in triplicate in all cases when:

(1) The antenna structure proposed to be erected will exceed an over-all height of 170 feet above ground level: *Provided, however,* That FCC Form 401–A is not required when the antenna is mounted on top of an existing man-made structure and does not increase the over-all height of such man-made structure by more than 20 feet; or

(2) The antenna structure proposed to be erected will exceed an over-all height of one foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area: *Provided, however,* That FCC Form 401–A is not required when the antenna does not exceed 20 feet above the ground or is mounted on top of an existing man-made structure or natural formation and does not increase the over-all height of such man-made structure or natural formation by more than 20 feet.

(e) A functional system diagram and a detailed description of the manner in which the interrelated stations will operate when the station is, or will be, part of a system involving two or more stations at different fixed locations, in accordance with the instructions accompanying Form 400.

(f) Copies of all agreements and statements which may be required under § 10.7 if operation is desired in connection with any cooperative or joint use of the proposed radio communication facilities.

(g) Statements required by the regulations in this part in connection with developmental operations. See §§ 10.202, 10.203, 10.207.

(h) Any statements or other data required under special circumstances as set forth in the appropriate subpart of this part, or required upon request by the Commission.

10. Delete § 10.59. (See §§ 10.7 (c) and 10.58 (f).)

11. In § 10.63 insert "(a)" at beginning of existing paragraph and add new paragraph as follows:

(b) In cases where the station is not ready for operational use on or before the expiration date of the construction permit, application for extension of time to construct shall be filed on FCC Form 400–A.

12. In § 10.65 delete title and text of this section and substitute the following:

§ 10.65 *Changes in authorized stations.* Authority for certain changes in authorized stations must be obtained from the Commission before those changes are made, while other changes do not require prior Commission approval. The following paragraphs describe the conditions under which prior Commission approval is or is not necessary.

(a) Proposed changes which will result in operation inconsistent with any of the terms of the current authorization require that an application for modification of construction permit and/or license be submitted to the Commission and, except as set forth in paragraph (b) of this section, shall be on Form 400 and shall be accompanied by exhibits and supplementary statements as required by § 10.58.

(b) Any of the following changes to authorized stations may be made upon approval by the Commission of a "Request for Amendment of Radio Station Authorization" submitted on FCC Form 400–A.

(1) Change in presently authorized location of transmitter control point.

(2) Addition or deletion of control point(s) for presently authorized transmitter.

(3) Reduction in antenna height. If painting and/or lighting of the antenna supporting structure is required, FCC Form 401–A must also be submitted.

(4) A reduction in the over-all number of transmitters authorized for mobile use.

(5) An increase in the over-all number of transmitters authorized for mobile use. This form may be used only when adding mobile transmitters which are included in the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services."[1]

(6) An extension of the time limit specified in a construction permit.

(c) Proposed changes which will not violate any of the terms of the outstanding authorization for the station involved may be made without prior Commission approval. Included in such changes is the substitution of various makes of transmitting equipment at any station provided the particular equipment to be installed is included in the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services"[1] and provided the substitute equipment employs the same type of emission and does not exceed the power limitations as set forth in the station authorization.

13. Delete § 10.67. (Revised and transferred to § 10.53 (e).)

14. Delete § 10.109. (Paragraph (a) transferred to become new paragraph (e) of § 10.151. Paragraphs (b), (c), and (d) revised and transferred to § 10.52.)

15. In § 10.151 add new paragraph (e) to read as follows:

(e) Tests may be conducted by any licensed station, as required for proper station and system maintenance, but such tests shall be kept to a minimum and precautions shall be taken to avoid interference to other stations.

16. In § 10.161 add new paragraph (f) to read as follows:

[1] As a temporary measure the list will be comprised of that equipment which is now regarded as meeting the requirements of the regulations in this part, and as acceptable for licensing in these services. The Commission proposes to begin the compilation of a list of transmitting equipment which has been tested in accordance with prescribed test procedures and found to be in compliance with the regulations. This list, when complete, will replace the temporary list, and it is hoped that it can be put into effect by July 1, 1952.

(f) A copy of Part 10, Public Safety Radio Services, shall be maintained in the records of each station licensed under this part.

APPENDIX C

It is proposed that Part 11, rules governing Industrial Radio Services be amended as follows:

1. In § 11.5 delete present language and substitute the following:

§ 11.5 *Transfer and assignment of station authorization.* A station authorization, the frequencies authorized to be used by the grantee of such authorization, and the rights therein granted by such authorization shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any corporation holding such authorization, to any person, unless the Commission shall, after securing full information, decide that said transfer is in the public interest. Requests for authority to assign a station authorization may be submitted in accordance with § 11.56 (b) while a request for authority to transfer control of a corporation, as by sale of controlling stock interest, shall be submitted in accordance with § 11.56 (d).

2. Add new § 11.8 as follows:

§ 11.8 *Policy governing the assignment of frequencies.* (a) The frequencies which may be assigned to stations operating in any one of the several Industrial Radio Services are listed in the applicable subpart of this part. All applicants for, and licensees of, stations in these services shall cooperate in the selection and use of the frequencies assigned in order to minimize interference and thereby obtain the most effective use of the authorized facilities. Each frequency, or band of frequencies, available for assignment to stations in these services is available on a shared basis only, and will not be assigned for the exclusive use of any one applicant; such use may also be restricted to one or more specified geographical areas.

(b) Each applicant shall use the highest order of frequencies available, compatible with the operational requirements of the particular radio system involved, and the actual channel loading of the bands in each area. Differentials in first cost and maintenance expense are factors which will not be considered as conclusive by the Commission in approving a choice between the ranges 1.6–6.0, 25–50, 152–174, and 450–460 Mc.

(c) The operational requirements of applicants for land mobile radio systems as authorized under this part dictate that the single frequency simplex method of operation be employed, and frequencies have been made available to each of the services largely on that basis. Consequently, in no case will more than one frequency, or band of frequencies, be assigned for the use of a single applicant until it has been demonstrated conclusively to the Commission that the assignment of an additional frequency, or band of frequencies, is essential to the operation of the radio system.

(d) With respect to fixed point-to-point circuits, simultaneous two-way communication will be required in most cases; consequently, it will be customary to assign two frequencies, or bands of frequencies, to such systems and, where possible, with such frequency separation that full duplex operation may be accomplished.

3. Delete present title of Subpart B and substitute the following: "Applications, Authorizations, and Notifications."

4. In § 11.52 delete title and text and substitute the following:

§ 11.52 *Procedure for obtaining a radio station authorization and for commencement of operation.* (a) Persons desiring to install and operate radio transmitting equipment should first submit an application for a radio station authorization in accordance with § 11.56.

(b) When construction permit only has been issued for a base, fixed or mobile station and installation has been completed in accordance with the terms of the construction permit and the applicable rules of the Commission, the permittee shall proceed further as follows:

(1) Notify the Engineer-in-Charge of the local radio district of the date on which the transmitter will first be tested in such manner as to produce radiation, giving name of the permittee, station location, call sign, and frequencies on which tests are to be conducted. This notification shall be made in writing at least two days in advance of the test date; however, no reply from the radio district office is necessary before the tests are begun.

(2) After testing, but on or before the date when the station is first used for operational purposes, mail to the Commission in Washington, D. C. an application on FCC Form 400 for license or modification of license, as appropriate in the particular case. The station may thereafter be used as though licensed, pending Commission action on the license application.

(c) When a construction permit and license for a new base, fixed or mobile station are issued simultaneously the licensee shall notify the Engineer-in-Charge of the local radio district of the date on which the transmitter will be placed in operation, giving name of licensee, station location, call sign, and operating frequencies. This notification shall be made in writing on or before the day on which operation is commenced.

(d) Except in those cases in which a new frequency or a change in frequency is involved, when a construction permit and modification of license for a base, fixed or mobile station are issued simultaneously, the station may be modified and placed back in operation without notification to the Engineer-in-Charge of the local radio district.

5a. In § 11.54 (d) delete present language and substitute the following:

(d) Failure on the part of the applicant to provide all the information required by the application form, or to supply the necessary exhibits or supplementary statements may constitute a defect in the application.

b. In paragraph (e) (1) and (2) change "six months" to "one year" wherever shown.

c. Delete paragraph (f) in its entirety.

6. In § 11.56 delete present language and substitute the following:

§ 11.56 *Application forms to be used.* (a) A separate application shall be submitted on FCC Form 400 for the following:

(1) New station authorization for a base or fixed station.

(2) New station authorization for any required number of mobile units (including hand-carried or pack-carried units) to be operated in the same service.

NOTE: An application for mobile units may be combined with an application for a single base station for such mobile units as will operate with that base station only.

(3) License for any class of station upon completion of construction or installation in accordance with the terms and conditions set forth in the construction permit.

(4) Modification of combined construction permit and station license for changes outlined in § 11.64 (a).

(5) Modification of construction permit.

(6) Modification of station license.

(7) Renewal of station license.

Any of the foregoing applications will, upon approval and authentication by the Commission, be returned to the applicant as a specifically-designated type of authorization.

(b) When the holder of a station authorization desires to transfer to another person the legal right to construct or to control the use and operation of a radio station he shall submit to the Commission a notarized letter in which he states that it is his desire to transfer and assign his right, title, and interest in and to the current authorization for his radio station, stating the file number and expiration date of his authorization and the call sign and location of station. This letter shall also include a statement that the transferor will submit his current station authorization for cancellation upon completion of the transfer of the control of the station. Enclosed with this letter shall be an application for Assignment of Authorization on FCC Form 400 prepared by and in the name of the person to whom the station is being transferred.

(c) A separate application may be submitted on FCC Form 400–A for certain changes to authorized stations as specified in § 11.64 (b).

(d) A separate application shall be submitted on FCC Form 703 whenever it is proposed to change, as by transfer of stock ownership, the control of a corporate permittee or licensee.

(e) Informal application. (1) An application not submitted on a standard form prescribed by the Commission is considered to be an informal application. Each informal application shall be submitted in duplicate, normally in letter form, and with the original signed under oath or affirmation. Each application shall be clear and complete within itself as to the facts presented and the action desired.

(2) A request for special temporary authorization must include full particulars as to the purpose for which the request is made and such request should be submitted at least 10 days prior to the date of the proposed operation. A request received within less than 10 days may be accepted upon due showing of sufficient reason for the delay in submitting the request.

7. Delete § 11.57. (Paragraphs (a) (b) (c) and (d) transferred to § 11.8 (a) (b) (c) and (d) respectively. Paragraphs (e) and (f) transferred to § 11.58 (a).)

8. In § 11.58 delete title and text and substitute the following:

§ 11.58 *Supplementary information to be submitted with application.* Each application for station authorization shall be accompanied by such supplemental information listed below as may be required.

(a) Any statements or showings required by the appropriate subpart of this part, in connection with the use of the frequency requested.

(1) Each application for authority to operate on one of the frequencies in the range 1.6–6.0 Mc must be fully justified, shall be accompanied by: A satisfactory showing that the safety of human life will be jeopardized by failure of the Commission to authorize the use of a frequency in the requested range; a description in detail of the particular activity involved; and the manner in which radio will be used in the activity. The circumstances must be such that the activity, by reason of its nature or location, is hazardous to personnel engaged in the activity, or to the public in the vicinity thereof; that the radiocommunication facilities requested will materially reduce such hazard; and that it is impossible to use a higher order of frequencies for accomplishment of the same purposes.

(2) The issuance of authority for use of frequencies within the band 72–76 Mc is contingent upon a showing that no interference will be caused to reception of television channels 4 or 5. Each application for use of one of these frequencies at a location within 55 miles of a television station authorized to use TV channel number 4 or 5 (35 miles in the case of community stations), shall be accompanied by the following data:

(i) A map of suitable scale showing the area enclosed by a circle having a radius of approximately 15 miles, centered on and surrounding the site chosen for the applicant's fixed station. This map should be marked with a circle of 5 miles radius and another circle of ½ mile radius centered on the proposed site to indicate the scale of the map.

(ii) A count of the houses and estimated population within the ½ mile circle shown on the map. (Use a count of 5 persons per house unless there are apartment houses in the area.)

(iii) The height above sea level of the center of the radiating portion of the antenna system, and the radiation pattern of the proposed antenna.

(iv) The height above sea level of nearby towns (within 10 miles of the proposed station).

(v) A written statement from the applicant that it will satisfactorily adjust all complaints of interference to television reception caused by operation of the proposed fixed station, when such complaints are made by owners of television receivers which are located both within one mile of the site of the proposed fixed station, and within the protected service area of television stations using TV channel number 4 to 5. The applicant's statement shall indicate agreement to the condition that this adjustment of interference complaints be made a part of the authorization.

(b) Statements justifying the need when more frequencies are desired than are normally assigned to a single applicant under the appropriate subpart of this part.

(c) Statement describing the type of emission to be used if it cannot be described as "8A3" or "40F3" pursuant to Subpart C of this part.

(d) Description of the antenna system, on FCC Form 401–A in triplicate in all cases when:

(1) The antenna structure proposed to be erected will exceed an over-all height of 170 feet above ground level: *Provided, however,* That FCC Form 401–A is not required when the antenna is mounted on top of an existing man-made structure and does not increase the over-all height of such man-made structure by more than 20 feet; or

(2) The antenna structure proposed to be erected will exceed an over-all height of one foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area: *Provided, however,* That FCC Form 401–A is not required when the antenna does not exceed 20 feet above the ground or is mounted on top of an existing man-made structure or natural formation and does not increase the over-all height of such man-made structure or natural formation by more than 20 feet.

(e) A functional system diagram and a detailed description of the manner in which the interrelated stations will operate when the station is, or will be, part of a system involving two or more stations at different fixed locations.

(f) Copies of all agreements and statements which may be required under § 11.6 if operation is desired in connection with any cooperative or joint use of the proposed radio communication facilities.

(g) Statements required by the rules in connection with developmental operation. See §§ 11.202, 11.203, and 11.207.

(h) Any statements or other data required under special circumstances as set forth in the appropriate subpart of this part, or required upon request by the Commission.

9. In § 11.62 insert "(a)" at beginning of existing paragraph and add new paragraph as follows:

(b) In cases where the station is not ready for operational use on or before the expiration date of the construction permit, application for extension of time to construct shall be filed on FCC Form 400–A.

10. In § 11.64 delete title and text and substitute the following:

§ 11.64 *Changes in authorized stations.* Authority for certain changes in authorized stations must be obtained from the Commission before these changes are made, while other changes do not require prior Commission approval. The following paragraphs describe the conditions under which prior Commission approval is or is not necessary:

(a) Proposed changes which will result in operation inconsistent with any of the terms of the current authorization require that an application for modification of construction permit and/or license be submitted to the Commission and, except as set forth in paragraph (b) of this section, shall be on Form 400 and shall be accompanied by exhibits and supplementary statements as required by § 11.58.

(b) Any of the following changes to authorized stations may be made upon approval by the Commission of a "Request for Amendment of Radio Station Authorization" submitted on FCC Form 400–A:

(1) Change in presently authorized location of transmitter control point.

(2) Addition or deletion of control point(s) for presently authorized transmitter.

(3) Reduction in antenna height. If painting and/or lighting of the antenna supporting structure is required, FCC Form 401–A must also be submitted.

(4) A reduction in the over-all number of transmitters authorized for mobile use.

(5) An increase in the over-all number of transmitters authorized for mobile use. This form may be used only when adding mobile transmitters which are included in the Commission's "List of transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services." [1]

(6) An extension of the time limit specified in a construction permit.

(c) Proposed changes which will not violate any of the terms of the outstanding authorization for the station involved may be made without prior Commission approval. Included in such changes is the substitution of various makes of transmitting equipment at any station provided the particular equipment to be installed is included in the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services" [1] and provided the substitute equipment employs the same type of emission and does

[1] As a temporary measure the list will be comprised of that equipment which is now regarded as meeting the requirements of the regulations in this part and as acceptable for licensing in these services. The Commission proposes to begin the compilation of a list of transmitting equipment which has been tested in accordance with prescribed test procedures and found to be in compliance with the regulations in this part. This list, when complete, will replace the temporary list, and it is hoped that it can be put into effect by July 1, 1952.

not exceed the power limitations as set forth in the station authorization.

11. Delete § 11.109. (Paragraph (a) transferred to § 11.151 (f). Paragraphs (b) (c), and (d) revised and transferred to § 11.52.)

12. In § 11.151 add new paragraph (f) to read as follows:

(f) Tests may be conducted by any licensed station as required for proper station and system maintenance, but such tests shall be kept to a minimum and precautions shall be taken to avoid interference to other stations.

APPENDIX D

It is proposed that Part 16, rules governing Land Transportation Radio Services, be amended as follows:

1. In § 16.5 delete present language and substitute the following:

§ 16.5 *Transfer and assignment of station authorization.* A station authorization, the frequencies authorized to be used by the grantee of such authorization, and the rights therein granted by such authorization shall not be transferred, assigned, or in any manner either voluntarily or involuntarily disposed of, or indirectly by transfer of control of any corporation holding such authorization, to any person, unless the Commission shall, after securing full information, decide that the said transfer is in the public interest. Requests for authority to assign a station authorization may be submitted in accordance with § 16.56 (b) while a request for authority to transfer control of a corporation, as by sale of controlling stock interest, shall be submitted in accordance with § 16.56 (d).

2. In § 16.8 add new section as follows:

§ 16.8 *Policy governing the assignment of frequencies.* The frequencies which may be assigned to stations operating in the Land Transportation Radio Services are listed in the applicable subpart of this part. Each frequency, or band of frequencies, available for assignment to stations in these services is available on a shared basis only, and will not be assigned for the exclusive use of any one applicant. All applicants for, and licensees of, stations in these services shall cooperate in the selection and use of the frequencies assigned in order to minimize interference and thereby obtain the most effective use of the authorized facilities. In the event that two or more licensees are unable to make an equitable division of transmission time the Commission, at its discretion, may specify a time sharing arrangement. The use of any of these frequencies may be restricted to one or more geographical areas.

3. Delete present title of Subpart B and substitute the following: "Applications, Authorizations, and Notifications."

4. In § 16.52 delete title and text of this section and substitute the following:

§ 16.52 *Procedure for obtaining a radio station authorization and for commencement of operation.* (a) Persons desiring to install and operate radio transmitting equipment should first submit an application for a radio station authorization in accordance with § 16.56 (a).

(b) When construction permit only has been issued for a base, fixed or mobile station and installation has been completed in accordance with the terms of the construction permit and the applicable rules of the Commission, the permittee shall proceed further as follows:

(1) Notify the Engineer-in-Charge of the local radio district of the date on which the transmitter will first be tested in such manner as to produce radiation, giving name of the permittee, station location, call sign, and frequencies on which tests are to be conducted. This notification shall be made in writing at least two days in advance of the test date; however, no reply from the radio district office is necessary before the tests are begun.

(2) After testing, but on or before the date when the station is first used for operational purposes, mail to the Commission in Washington, D. C., an application on FCC Form 400 for license or modification of license, as appropriate in the particular case. The station may thereafter be used as though licensed, pending Commission action on the license application.

(c) When a construction permit and license for a new base, fixed or mobile station are issued simultaneously the licensee shall notify the Engineer-in-Charge of the local radio district of the date on which the transmitter will be placed in operation, giving name of licensee, station location, call sign, and operating frequencies. This notification shall be made in writing on or before the day on which operation is commenced.

(d) Except in those cases in which a new frequency or a change in frequency is involved, when a construction permit and modification of license for a base, fixed or mobile station are issued simultaneously, the station may be modified and placed back in operation without notification to the Engineer-in-Charge of the local radio district.

5. In § 16.53 (b) substitute "(c)" for "(h)" in fourth line.

6a. In § 16.54 (d) delete present language and substitute the following:

(d) Failure on the part of the applicant to provide all the information required by the application form, or to supply the necessary exhibits or supplementary statements may constitute a defect in the application.

b. In paragraph (c) delete present language and substitute the following:

(c) Applications involving operation at temporary locations:

(1) When a base station or a fixed station is to remain at a single location for less than one year, the location is considered to be temporary. An application for authority to operate at temporary locations shall specify the general geographic area within which the operation will be confined. The area specified may be a city, a county or counties, a state or states, "Gulf Coast area", "Eastern U. S.", etc.

(2) When a base station or fixed station authorized to operate at temporary locations remains at a single location for more than one year, an application for modification of the station authorization to specify the permanent location shall be filed within thirty days after expiration of the one year period.

7. In § 16.56 delete present language and substitute the following:

§ 16.56 *Application forms to be used.* (a) A separate application shall be submitted on FCC Form 400 for the following:

(1) New station authorization for a base or fixed station.

(2) New station authorization for any required number of mobile units (including hand-carried or pack-carried units) to be operated in the same service.

NOTE: An application for mobile units may be combined with an application for a single base station for such mobile units as will operate with that base station only.

(3) License for any class of station upon completion of construction or installation in accordance with the terms and conditions set forth in the construction permit.

(4) Modification of a combined construction permit and station license for changes outlined in § 16.64 (a).

(5) Modification of construction permit.

(6) Modification of station license.

(7) Renewal of station license.

Any of the foregoing applications will, upon approval and authentication by the Commission, be returned to the applicant as a specifically-designated type of authorization.

(b) When the holder of a station authorization desires to transfer to another person the legal right to construct or to control the use and operation of a radio station he shall submit to the Commission a notarized letter in which he states that it is his desire to transfer and assign his right, title, and interest in and to the current authorization for his radio station, stating the file number and expiration date of his authorization and the call sign and location of station. This letter shall also include a statement that the transferer will submit his current station authorization for cancellation upon completion of the transfer of the control of the station. Enclosed with this letter shall be an application for Assignment of Authorization on FCC Form 400 prepared by and in the name of the person to whom the station is being transferred.

(c) A separate application may be submitted on FCC Form 400–A for certain changes to authorized stations as specified in § 16.64 (b).

(d) A separate application shall be submitted on FCC Form 703 whenever it is proposed to change the control of a corporate permittee or licensee.

8. Delete § 16.57. (Paragraph (a) transferred to § 16.8. Paragraph (b) transferred to § 16.58 (a).)

8a. Redesignate paragraph (h) of § 16.56 as § 16.57.

9. In § 16.58 delete title and text of this section and substitute the following:

§ 16.58 *Supplementary information to be submitted with application.* Each application for station authorization shall be accompanied by such supplemental information listed below as may be required:

(a) Any statements or showings required by the appropriate subpart of this part, in connection with the use of the frequency requested.

(1) The issuance of authority for use of frequencies within the band 72–76 Mc is contingent upon a showing that no harmful interference will be caused to reception of television channel 4 or 5. Therefore, each application for use of one of these frequencies at a location within 55 miles of a television station authorized to use TV channel number 4 or 5 (35 miles in the case of community stations), or within a like distance of a location to which TV channel number 4 or 5 is allocated in the Commission's rules, shall be accompanied by the following data:

(i) A map of suitable scale showing the area enclosed by a circle having a radius of approximately 15 miles, centered on and surrounding the site chosen for the applicant's fixed station. This map should be marked with a circle of 5 miles radius and another circle of ½ mile radius centered on the proposed site to indicate the scale of the map.

(ii) A count of the houses and estimated population within the ½ mile circle shown on the map. (Use a count of 5 persons per house unless there are apartment houses in the area.)

(iii) The height above sea level of the center of the radiating portion of the antenna system, and the radiation pattern of the proposed antenna.

(iv) The height above sea level of nearby towns (within 10 miles of the proposed station).

(v) A written statement from the applicant that it will satisfactorily adjust all complaints of interference to television reception caused by operation of the proposed fixed station, when such complaints are made by owners of television receivers which are located both within one mile of the site of the proposed fixed station, and within the protected service area of television stations using TV channel number 4 or 5. The applicant's statement shall indicate agreement to the condition that this adjustment of intereference complaints be made a part of the authorization.

(b) Statements justifying the need when more frequencies are desired than are normally assigned to a single applicant under the appropriate subpart of this part.

(c) Statement describing the type of emission to be used if it cannot be described as "8A3" or "40F3" pursuant to Subpart C of this part.

(d) Description of the antenna system, on FCC Form 401–A in quadruplicate, in all cases when:

(1) The antenna structure proposed to be erected will exceed an over-all height of 170 feet above ground level: *Provided, however,* That FCC Form 401–A is not required when the antenna is mounted on top of an existing man-made structure and does not increase the over-all height of such man-made structure by more than 20 feet; or

(2) The antenna structure proposed to be erected will exceed an over-all height of one foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area: *Provided, however,* That FCC Form 401–A is not required when the antenna does not exceed 20 feet above the ground or is mounted on top of an existing man-made structure or natural formation and does not increase the over-all height of such man-made structure or natural formation by more than 20 feet.

(e) A functional system diagram and a detailed description of the manner in which the interrelated stations will operate when the station is, or will be, part of a system involving two or more stations at different fixed locations.

(f) Copies of all agreements and statements which may be required under § 16.3 if operation is desired in connection with any cooperative or joint use of the proposed radio communication facilities.

(g) Statements required by the regulations in this part in connection with developmental operation. See §§ 16.202, 16.203, 16.207.

(h) Any statements or other data required under special circumstances as set forth in the appropriate Subpart of this part, or required upon request by the Commission.

10. In § 16.62 insert "(a)" at beginning of existing paragraph and add new paragraph as follows:

(b) In cases where the station is not ready for operational use on or before the expiration date of the construction permit, application for extension of time to construct shall be filed on FCC Form 400–A.

11. In § 16.64 delete title and text and substitute the following:

§ 16.64 *Changes in authorized stations.* Authority for certain changes in authorized stations must be obtained from the Commission before these changes are made, while other changes do not require prior Commission approval. The following paragraphs describe the conditions under which prior Commission approval is or is not necessary:

(a) Proposed changes which will result in operation inconsistent with any of the terms of the current authorization require that an application for modification of construction permit and/or license be submitted to the Commission and, except as set forth in paragraph (b) of this section, shall be on Form 400 and shall be accompanied by exhibits and supplementary statements as required by § 16.58.

(b) Any of the following changes to authorized stations may be made upon approval by the Commission of a "Request for Amendment of Radio Station Authorization" submitted on FCC Form 400–A:

(1) Change in presently authorized location of transmitter control point.

(2) Addition or deletion of control point(s) for presently authorized transmitter.

(3) Reduction in antenna height. If painting and/or lighting of the antenna supporting structure is required, FCC Form 401–A must also be submitted.

(4) A reduction in the over-all number of transmitters authorized for mobile use.

(5) An increase in the over-all number of transmitters authorized for mobile use. This form may be used only when adding mobile transmitters which are included in the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services."

(6) An extension of the time limit specified in a construction permit.

(c) Proposed changes which will not violate any of the terms of the outstanding authorization for the station involved may be made without prior Commission approval. Included in such changes is any station provided the particular equipment to be installed is included in the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services" and provided the substitute equipment employs the same type of emission and does not exceed the power limitations as set forth in the station authorization.

12. Delete § 16.109. (Paragraph (a) transferred to become new paragraph (f) of § 16.151. Paragraphs (b), (c), and (d) revised and transferred to § 16.52.)

13. In § 16.151 add new paragraph (f) to read as follows:

(f) Tests may be conducted by any licensed station, as required for proper station and system maintenance, but such tests shall be kept to a minimum and precautions shall be taken to avoid interference to other stations.

14. In § 16.160 add new paragraph (j) to read as follows:

(j) A copy of Part 16 Land Transportation Radio Services, shall be maintained in the records of each station licensed under this part.

APPENDIX E

INSTRUCTIONS CONCERNING COMPLETION OF NUMBERED ITEMS ON FCC FORM 400 PUBLIC SAFETY, INDUSTRIAL, AND LAND TRANSPORTATION RADIO SERVICES

Form 400 is to be used in making application for a radio station authorization in any of the above radio services. If the application is granted, the Commission will authenticate the original copy of this form and return it to the applicant. This original when authenticated constitutes the authorization. The applicant is therefore urged to use the utmost care when completing this application. A work sheet is provided as a part of the application form and is to be detached, filled out in pencil, and the remaining sheets completed on a typewriter. The typewritten sheets must be submitted, with carbons attached, to the Federal Communications Commission, Washington 25, D. C. The work sheet is to be retained by the applicant as his file copy.

The purpose of these instructions is to indicate the nature and type of information

desired in response to each numbered item on FCC Form 400. The paragraphs in these instructions are numbered to correspond with the item numbers on FCC Form 400.

Item 1 (a). Rules in these services provide that the licensees of stations may substitute under certain conditions equipment of a different manufacturer, type or model number without specific authority from the Commission: *Provided,* That the equipment to be used appears on the Commission's current "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services".[1] (This list is not available for general public distribution. However, it is available for inspection at the Commission's office in Washington, D. C., and at each of its field offices.)

Equipment which does not appear on the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services"[1] may be authorized provided a detailed description of the equipment is included with the application, and the Commission approves its use. See also Item 14 of these instructions.

If it is found that interference is caused by faulty operation of any transmitting equipment and whether or not the particular model appears on the list, in accordance with the rules, the licensee may be required to take immediate steps to reduce or eliminate the interference.

Item 1 (b). First read the appropriate rules regarding policy governing assignment of frequencies in the Radio Service for which application is being made. Enter in Item 1 (b) the specific frequency or frequencies selected from those listed in the appropriate subpart of the rules for the specific service in which operation is proposed. For each entry made in Item 1 (b), a corresponding entry must be made in Items 1 (c), (d), and (e), as explained below.

Supplementary data, if required by the appropriate rules to support each frequency selection, shall be attached to the completed application form when submitting it to the Commission.

Item 1 (c). Enter in the appropriate column, opposite each frequency that has been listed in Item 1 (b), the number of transmitters to be operated on that particular frequency. The column headed "Other" is to be used for those stations which cannot be classified as "Base" or "Mobile". See also Item 4 (b).

Normally, for a station at a fixed location, only one transmitter is involved and the figure "1" should be entered. However, if two or more transmitters are to be authorized under a single station call sign the total number of such transmitters should be entered.

For a new station involving mobile units, enter the sum total of the number of transmitters required. Normally, this number will represent transmitters on order from the manufacturer plus those for which commitment to purchase has been made. After issuance of the station authorization, a request to increase or decrease the overall number of mobile transmitters may be submitted on FCC Form 400–A.

[1] As a temporary measure the list will be comprised of that equipment which is now regarded as meeting the requirements of the rules and as acceptable for licensing in these services. The Commission proposes to begin the compilation of a list of transmitting equipment which has been tested in accordance with prescribed test procedures and found to be in compliance with the rules. This list, when complete, will replace the temporary list, and it is hoped that it can be put into effect by July 1, 1952.

Each application for a modification or renewal of station license shall show the current number of mobile units, if any.

Each group of mobile units operated on a specific frequency should be entered separately. In the event the same mobile units are to be operated on more than one frequency, bracket together those frequencies in Item 1 (b) and complete columns (c), (d), and (e) in the same manner as for single frequency operation.

Item 1 (d). The types of emission generally used in these radio services are referred to as "8A3" for amplitude modulated voice transmissions and "40F3" for frequency modulated voice transmissions.

If the emission cannot be described as "8A3" or "40F3", leave Item 1 (d) blank and attach a supplementary statement describing the emission in complete detail, including data on the total transmission bandwidth, the method of modulation, and the purpose for which such emission is required. See Subpart C of the appropriate rules.

Item 1 (e). Enter the maximum d. c. plate power input, in watts to the final radio frequency stage, which may be authorized in accordance with Subpart C of the appropriate Rules.

Item 2 (a). If the applicant is an individual doing business in his own name, insert the full name.

If the applicant is an individual doing business under a firm or company name (sole proprietorship), insert both the full name of the individual and the firm or company name.

EXAMPLE: John Henry Doe, d/b/a Doe Construction Company.

If the applicant is a partnership doing business under a firm or company name, insert the full name of each partner having an interest in the business and the firm or company name.

EXAMPLE: John Henry Doe and Richard Robert Roe, d/b/a Circle Construction Company.

If the applicant is a corporation, insert the exact name as it appears in the Articles of Incorporation.

If the applicant is an unincorporated association, insert the name of the applicant as it appears in its Articles of Association.

Item 2 (b). Enter the address to which the radio station authorization is to be mailed. Indicate Post Office box numbers, city zone numbers, and rural route numbers wherever appropriate. If mail is to be directed to the attention of a particular individual, office, or division of the applicant, so state.

Item 3. Item 3 applies to every station which it is anticipated will be operated at the same location for more than one year. If a single station includes two or more transmitters at different locations (such as a main and auxiliary transmitter), label the locations "A", "B", etc., label the transmitters in Item 1 (c) to correspond, and supply the required information for each location. In addition to street address, give building name, if any, and other local identification.

If the location of the transmitter does not have a street address, describe the location in such a way that it can be located readily. For transmitters at rural locations indicate, for example, the route numbers of the nearest highway intersection and the distance and direction from the nearest town. If the station is on a mountain top, give the name of the mountain, if any.

The geographical coordinates of latitude and longitude should be accurate to plus or minus one second for each antenna location. These coordinates are an important part of the location description.

Item 4 (a). Insert the name of the radio service in which it is proposed to operate.

(a) The Public Safety Radio Services group includes the following:

(1) Police Radio Service.
(2) Fire Radio Service.
(3) Forestry-Conservation Radio Service.
(4) Highway Maintenance Radio Service.
(5) Special Emergency Radio Service.
(6) State Guard Radio Service.

(b) The Industrial Radio Service Group includes the following:

(1) Power Radio Service.
(2) Petroleum Radio Service.
(3) Forest Products Radio Service.
(4) Motion Picture Radio Service.
(5) Relay Press Radio Service.
(6) Special Industrial Radio Service.
(7) Low Power Industrial Radio Service.

(c) The Land Transportation Radio Services group includes the following:

(1) Intercity Bus Radio Service.
(2) Highway Truck Radio Service.
(3) Railroad Radio Service.
(4) Taxicab Radio Service.
(5) Urban Transit Radio Service.
(6) Automobile Emergency Radio Service.

Item 4 (b). Check only one box on any one application unless combined application is being made for a single base station and its associated mobile units the operation of which will comprise a single radio communication system, in which case the two boxes "base" and "mobile" should be checked. A separate application is required for each station at a different fixed location not operated from a common control point.

For definitions of the various classes of stations, refer to Part 10, 11, or 16 of the rules as may be appropriate.

Item 5. Item 5 applies to all mobile stations and to any other class of station which will be installed at fixed locations for periods of less than one year. The general rule to follow in completing this item is to describe as accurately as possible the area in which the station or units of the station normally will be operated. Occasional operation of a nonrecurring nature outside of the described area is permitted without specific authorization. The area described should include present requirements only.

When the mobile station will be associated with a single permanently-installed base station, insert a description of the estimated radius of station coverage.

EXAMPLE: Bakersfield, California, and vicinity.

When the mobile station will be associated with two or more base stations, and these base stations are designed to give complete coverage throughout the area in which the applicant operates, the area should be described in any manner which appears appropriate to the size of the system. Counties should be named if no more than five are involved. For more than five counties, but less than an entire state, indicate that part of the state involved. If an entire state constitutes the area of operation, so indicate. Operation throughout any area greater than one state should be specially described.

EXAMPLES: (1) Mobile in Kern County, California. (2) Mobile in Kern and Ventura Counties, California. (3) Mobile in Central California. (4) Mobile in State of California.

In special situations, as on construction projects of large size, the most descriptive entry may be an indication of the project.

EXAMPLES: (1) Mobile in vicinity of Hoover Dam, Clark County, Nevada. (2) Mobile along route of Transcontinental Pipe Line, Longview, Texas, to Camden, New Jersey.

The area of operation for base and fixed stations to be operated at temporary locations should be described in substantially the same manner as the area for mobile stations.

EXAMPLE: At temporary locations in Kern and Ventura Counties, California.

Item 6. Enter the location of each transmitter control point. Include control points that are manned either on a full-time or a part-time basis. For information and requirements relating to transmitter control

points, refer to the appropriate rules, noting particularly the distinction between control points and dispatch points. If two or more control points at the same address are contemplated, so indicate.

In addition to the street address, give the building name, if any, and any other local identification. For control points at rural locations, indicate the name of the building, if any, the route number of the nearest highway intersection and the distance and direction there from or the distance and direction from the nearest town. In every case where the transmitter and control point descriptions are different, give the distance and direction from the control point to the transmitter.

The words "same as transmitter" may be used if the control point is at the same street address in an urban area or within 500 feet of the transmitter in a rural area.

When one or more transmitters are to be controlled by a transmitter at another location, the correct entry for the control point is the call sign of the station associated with the control point of the system. If such call sign has not yet been assigned, give the location of the station associated with the control point of the system in the "Remarks and Additional Data" section on the reverse side of the form, and leave Item 6 blank for completion by the Commission.

Item 7. This figure shall include the height of the antenna supporting structure (building, water tank, floodlight tower, etc.) plus the mast and plus the antenna itself to its highest point above ground level.

Items 8, 9, and 10. These items are designed to show whether or not an applicant is eligible for a station license in accordance with the citizenship requirements of section 310 of the Communications Act of 1934, as amended. Complete information must be provided.

Item 11. The various rules make provision for an applicant to license only mobile units in his own name and to take dispatch service from a base station licensed to another person operating in the same radio service. If applicable, enter in Item 11 the name of the licensee from whom such service is to be obtained. If the applicant is to be the licensee of the base station which will provide service to the mobile units of another licensee, the name of such person should be entered in Item 11. This item does not refer to maintenance of equipment. Enter "DNA" if this item does not apply.

Item 12. The Communications Act of 1934, as amended, requires a licensee to maintain control of his station. Whether the necessary control exists will depend upon the circumstances of each case. However, it should include at least these elements: The licensee must be able to enter at any time the premises upon which the transmitter and control point are located; the licensee must have authority at all times to direct the operation of the station and its operating personnel. If it is considered that the necessary control is doubtful or cannot be maintained, explain details of the proposed arrangement on a separate sheet and include reasons why the arrangement is considered to be necessary. An applicant proposing to enter into cooperative arrangements under provisions of the various rules should explain the manner in which proper legal control will be maintained.

Item 13. A functional system diagram should be submitted with any of the following applications when the station is or will be part of a system involving two or more stations at different fixed locations:

(1) Each application for authority to add a new station to the system.

(2) Each application for modification of license if such modification involves a change in the normal service area of the base station and/or the normal area of operation of the mobile units.

(3) Each application for renewal of license provided the diagram is required and the Commission does not already have a current copy on file.

Where simultaneous applications are submitted, all of which are to be a part of a single integrated communications network, only one diagram need be filed. In such cases, however, the applications must be cross-referenced to that application to which the diagram is attached.

The functional system diagram should be in sufficient detail to locate the radio stations with a reasonable degree of accuracy. The size of the diagram should not exceed approximately 18" x 24".

The diagram should include the entire area over which radio communications are to be established. Where extensive communication networks are contemplated, but only portions or parts of the system are being constructed and placed in operation, the diagram should show only the stations actually authorized and those for which applications are being filed with the Commission.

In order to assure that each functional system diagram contains the same types of information presented in a standardized manner, it is suggested that data be shown as follows:

(1) The name of the applicant or licensee.

(2) The date on which the diagram was prepared.

(3) The relative location of principal cities, towns, and terrain features.

(4) Show by means of a small solid circle (●) the relative location of each station installed at a fixed location which has been authorized to the applicant as of the date on which the diagram was prepared. Beside each such circle, or connected to it with a leader (line and arrow), show the station call sign, the class of station as shown on the license, and all frequencies in use at the station, labeling transmitting frequencies "T" and receiving frequencies "R".

(5) Show by means of a small open circle (o) the relative location of each proposed station of the applicant at a fixed location for which application is made or is pending. Indicate for each such location the class of station as shown on the application, and all frequencies proposed to be used at the station, labeling transmitting frequencies "T" and receiving frequencies "R".

Item 14. A person who desires to obtain authorization to operate a transmitter which has not been previously authorized by the Commission and which does not appear on the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services"[1] should enter "See Exhibit(s) No. _____" in Item 14 and supply information to show that the transmitter will comply with Subpart C of the appropriate rules.

A person holding a valid radio station authorization for one or more transmitters whose model number does not appear on the Commission's current "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial, and Land Transportation Radio Services"[1] and who desires to renew or modify such authorization, should enter "See Exhibit No. _____" in Item 14 and supply the following information:

(1) Enumerate each "non-list" transmitter by manufacturer and model or type number as it appears on the current license. Show opposite each model or type number, the number of units of that kind which are currently on hand and for which continued authorization is desired. Do not include transmitters which are on the list.

Item 15. A statement showing eligibility to operate in the particular radio service for which application is being made is required for each applicant for a new station. When the application is for modification or renewal of an existing authorization, this material may be incorporated by reference if it is already on file with the Commission and still correct.

In the preparation of the eligibility statement, the applicant is urged first to study carefully the various subparts of the Commission's rules and then to make application for that service for which he believes himself to be eligible. The statement should be prepared in a manner which will indicate clearly such eligibility and should include the following:

(1) A general description of the nature of the applicant's business or activity.

(2) A description of the manner in which radio will be employed in connection with such activity.

(3) Any other information which the applicant believes will aid in a determination of his eligibility for the particular service in which he proposes to operate.

Item 16. This item is used to indicate the purpose for which the application is filed. In Item 16 (a), check one box only. If the applicant does not consider completion of Item 16 (a), (b), and (c) to be adequate to indicate his purpose or purposes they should be stated separately in a letter of transmittal to accompany the application.

New Station. A check in the box "New Station" indicates that this is an application for a new radio station not presently licensed in the service as listed in Item 4 (a). Complete Item 16 (c) if the "new station" box is checked in Item 16 (a).

Modification. The entry "Modification" refers to any desired change in the terms and conditions of the license during the current license period. If applicable, use the space in Item 16 (b) to describe in detail the modification or modifications which occasion the filing of this application. If additional space is required, use the "Remarks and Additional Data" space on back of the form.

Although authority for certain specific changes may be requested by the submission of FCC Form 400–A, an application for modification of station authorization on FCC Form 400 is required in any of the following cases:

(1) Change in location of transmitters at fixed locations when such relocation involves a change in the street address or a change in the geographical coordinates by one second or more.

(2) Change in area of authorized operation of mobile units or other class of station at a temporary location.

(3) Change in frequency.

(4) Change in emission.

(5) Increase in power in excess of that which is authorized.

(6) Increase in over-all height of antenna.

(7) Any change in antenna height if antenna painting and/or lighting is required.

(8) Change in any of the special conditions shown on the face of the authorization.

(9) Addition or substitution of one or more transmitters not appearing on the Commission's "List of Transmitting Equipment Acceptable for Licensing in the Public Safety, Industrial and Land Transportation Radio Services".

[1] As a temporary measure the list will be comprised of that equipment which is now regarded as meeting the requirements of the rules and as acceptable for licensing in these services. The Commission proposes to begin the compilation of a list of transmitting equipment which has been tested in accordance with prescribed test procedures and found to be in compliance with the rules. This list, when complete, will replace the temporary list, and it is hoped that it can be put into effect by July 1, 1952.

(10) Addition of any transmitting equipment at a base or fixed station.

(11) Any change in the name of the licensee other than a change which requires a transfer of license.

Renewal. For renewal, complete all of Form 400 just as though application were being made for a new station. Exhibits already on file with the Commission and still correct may be incorporated by reference.

Assignment of authorization. The entry "Assignment of Authorization" shall be checked when the applicant desires to obtain authority to construct or to control the use and operation of a station presently authorized to another person. The application shall be prepared by and in the name of the person to whom the station is being transferred and shall be completed in the same manner as for a new station with all questions answered, together with a letter from transferor as required by the rules. Exhibits on file with the Commission and still correct may be incorporated by reference.

License to Cover C. P. This entry shall be checked only in those cases where the application is for a license to cover an outstanding Construction Permit. No application for a "License to Cover C. P." is necessary when the Commission has previously issued a construction permit and station license simultaneously.

Item 17. If the antenna and its supporting structure is to be mounted upon some existing structure such as a building, water tank, flood light tower, fire lookout tower, etc., or upon the ground or a hill or mountain top and will not extend more than 20 feet above the structure or natural formation upon which it is mounted, check the "No" box and disregard the remainder of the item.

If the antenna and its supporting structure will extend more than 20 feet above the structure or natural formation upon which it is mounted, check the "Yes" box and complete the remaining questions.

Distance to the nearest aircraft landing area refers to the shortest air-line distance between the antenna location and the nearest boundary of the airport or aircraft landing area. Information in reference to the elevation of the ground, at the antenna site, above mean sea level can be obtained from a topographical map of the area or from the city or county surveyor.

If the antenna is to be mounted in an area where it is surrounded by trees, buildings, or other structures of equal or greater height, show the height of some of the nearby objects and the distance from the antenna site. Indicate whether or not they are located between the airport and the antenna site.

This information is necessary in order for the Commission to determine when a hazard to air navigation might be created as the result of the erection of an antenna.

Applicants proposing to make use of a directional antenna system should give complete information regarding the following: Type of antenna, the estimated pattern, the beam width between half-power points, and the azimuth in degrees of the direction of maximum radiation.

FCC Form 401–A, and required exhibits, shall be submitted in triplicate with this application in all cases when:

(1) The antenna structure proposed to be erected will exceed an over-all height of 170 feet above ground level: *Provided, however,* That FCC Form 401–A is not required when the antenna is mounted on top of an existing man-made structure and does not increase the over-all height of such man-made structure by more than 20 feet; or

(2) The antenna structure proposed to be erected will exceed an over-all height of one foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area: *Provided, however,* That FCC Form 401–A is not required when the antenna does not exceed 20 feet above the ground or is mounted on top of an existing man-made structure or natural formation and does not increase the over-all height of such man-made structure or natural formation by more than 20 feet.

Applicants proposing to install towers of unusual height or at locations in close proximity to aircraft landing areas will normally find it advantageous to discuss in advance the location and height of the antenna with the Engineer-in-Charge of the FCC Field Office, in the district, as well as with regional CAA officials and local airport managers, prior to the submission of the application.

Items 18, 19, and 20. These items which appear on the reverse side of the application form are designed to show whether or not the applicant, if a non-government corporation or association, is eligible for a station license in accordance with the citizenship provisions of section 310 of the Communications Act of 1934, as amended.

Before submitting your application be sure all necessary attachments are included. See appropriate rules section entitled "Supplementary Information to be Submitted with Application".

[F. R. Doc. 51–12178; Filed, Oct. 9, 1951; 8:48 a. m.]

NOTICES

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–2703]

NARRAGANSETT ELECTRIC CO.

NOTICE REGARDING ISSUANCE OF PROMISSORY NOTES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 3d day of October A. D. 1951.

Notice is hereby given that a declaration has been filed with this Commission by The Narragansett Electric Company ("Narragansett"), a subsidiary company of New England Electric System, a registered holding company, pursuant to the Public Utility Holding Company Act of 1935. The declaration designates sections 6 (a) and 7 of the act and Rules U-42 (b) (2) and U-23 promulgated thereunder as applicable to the proposed transactions described therein.

Notice is further given that any interested person may, not later than October 15, 1951, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by such declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after October 15, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration, which is on file in the offices of this Commission, for a statement of the transactions therein proposed, which are summarized as follows:

Narragansett proposes to issue, from time to time but not later than December 31, 1951, unsecured promissory notes in an aggregate amount not in excess of $3,700,000. Each of said notes will mature not later than six months after its issue date and will bear interest at the prime rate existing on said issue date. The declaration states that said prime interest rate at the present time is 2½ percent and that Narragansett proposes that in the event the prime interest rate of any of such notes should exceed 2¾ percent per annum, it will file an amendment setting forth the name of the bank or banks, the terms of the note or notes and the rate of interest, at least five days prior to the execution and delivery of said note or notes. Narragansett requests that unless this Commission notifies it to the contrary within said five day period, the amendment shall become effective at the end of such period.

Narragansett expects to have outstanding at September 30, 1951, $5,800,000 principal amount of 2½ percent promissory notes. In addition to $575,000 taken from treasury funds, $1,725,000 of the proceeds from the notes proposed to be issued will be used to retire outstanding notes leaving outstanding a maximum of $3,500,000 principal amount of the notes expected to be outstanding on September 30, 1951. The remainder of the proceeds from the proposed notes will be used to pay for construction work and to reimburse the treasury for prior construction expenditures and the payment of indebtedness originally incurred for construction. According to the declaration, the amount of all of the unsecured promissory notes of Narragansett to be outstanding at any one time prior to December 31, 1951 will not exceed $7,200,000.

The declaration states that Narragansett expects that its note indebtedness will be financed permanently to the extent of $6,000,000 through the issuance of common stock to its parent company, New England Electric System, in the latter part of 1951 or early in 1952 and that it has been advised that the parent company expects to have the necessary funds to invest in such common stock from the proceeds of the sale of its Massachusetts' gas properties. It is further stated that it is expected that after such permanent financing, there will be $1,200,000 principal amount of notes outstanding which will be financed permanently in 1952 through a bond issue and that the proceeds from this bond issue will also enable Narragansett to pay short-term bank borrowings anticipated to be incurred in 1952.

The total expenses in connection with the proposed issuance of notes are estimated by Narragansett not to exceed $750 and, according to the company, no

State commission or Federal commission, other than this Commission, has jurisdiction over the proposed issuance of notes.

Narragansett requests that the Commission's order become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 51-12157; Filed, Oct. 9, 1951; 8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Office of the Secretary

NORTH DAKOTA

TRANSFERRING CERTAIN LANDS WITHIN FORMER ROOSEVELT RECREATIONAL DEMONSTRATION AREA FROM DEPARTMENT OF THE INTERIOR TO DEPARTMENT OF AGRICULTURE

By virtue of the authority contained in section 2 of the act of June 10, 1948 (62 Stat. 352), and section 32 of Title III of the Bankhead-Jones Farm Tenant Act of July 22, 1937 (50 Stat. 525; 7 U. S. C. 1011), it is ordered as follows:

Subject to valid existing rights, the following described lands which are within the former Roosevelt Recreational Demonstration Area and which it has been determined are not needed for the exchange of State or privately owned lands within Theodore Roosevelt National Memorial Park are hereby transferred to the Department of Agriculture for use, administration, and disposition in accordance with the provisions of Title III of the said Bankhead-Jones Farm Tenant Act and the related provisions of Title IV thereof; provided, that this transfer shall not apply to the mineral resources of the lands and shall not restrict the use, administration, and disposition of such mineral resources under the public-land laws:

FIFTH PRINCIPAL MERIDIAN

NORTH DAKOTA

T. 141 N., R. 102 W.,
Sec. 2, N½

The described lands aggregate approximately 320 acres.

Dated: October 4, 1951.

DALE E. DOTY,
Assistant Secretary of the Interior.

[F. R. Doc. 51-12151; Filed, Oct. 9, 1951; 8:46 a. m.]

Petroleum Administration for Defense

PENNSYLVANIA

NOTICE OF CERTIFICATION REGARDING RESTRICTION OF NATURAL GAS

Take notice that the Public Utility Commission of the Commonwealth of Pennsylvania has certified to the President that it has authority to restrict the use of natural gas and is exercising that authority to the extent necessary to accomplish the objectives of the Defense Production Act of 1950. As the result of the above-described Certification, and pursuant to section 704 Defense Production Act of 1950, as amended, the restrictions imposed by section 3, PAD Order No. 2, August 14, 1951, 16 F. R. 8111, are hereafter inapplicable in the Commonwealth of Pennsylvania.

A. P. FRAME,
Acting Deputy Administrator, Petroleum Administration for Defense.

[F. R. Doc. 51-12229; Filed, Oct. 9, 1951; 9:01 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

DOMESTIC AND EXPORT PRICE LISTS FOR OCTOBER

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 1583), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

OCTOBER DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Dried whole eggs, 1950 pack (packed in barrels and drums) in carload lots only. 1 million pounds.[1]	$1.03 per pound "in store" at location of stock in Illinois, Indiana, Iowa, Michigan, Ohio, Oklahoma, Texas, Kansas, Missouri, Nebraska, Minnesota, Wisconsin, New York, and Delaware ("in store" means in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer).
Nonfat dry milk solids, 1951 production, in carload lots only, 40,000,000 pounds.	Spray process, 15¾ cents per pound "in store" at location of stock in any State ("in store" means at the processor's plant or in storage at warehouse, but with any prepaid storage and out-handling charges for the benefit of the buyer.) (See note on Ceiling Price Certification at the end of this Price List.)
Linseed oil, raw, 216,000,000 pounds	Market price on date of sale. (See note on Ceiling Price Certification at the end of this Price List.)
Dry edible beans	On all beans, for areas other than those shown below, adjust prices upward or downward by an amount equal to the price support program differential between areas. Where no price support differential occurs, the price listed will apply. For other grades of all beans, adjust by market differentials. Prices listed below, on all beans, are at point of production. Amount of paid-in freight to be added, as applicable.
Pinto, bagged, 1,400,000 hundredweight.	No. 1 grade, 1948[1] and 1949 crops: $7.71 per 100 pounds, basis f. o. b. Denver rate area and California area; $7.31 per 100 pounds, basis f. o. b. Idaho area.
Pea, bagged, 700,000 hundredweight.	No. 1 grade 1948,[1] 1949, and 1950 crops: $8.39 per 100 pounds, basis f. o. b. Michigan area.
Red kidney, bagged, 390,000 hundredweight.	No. 1 grade 1948[1] and 1949 crops: $9.81 per 100 pounds, basis f. o. b. New York area.
Great Northern, bagged, 1,300,000 hundredweight.	No. 1 grade 1948[1] and 1949 crops: $7.71 per 100 pounds, basis f. o. b. Twin Falls, Idaho area; $8.08 per 100 pounds, basis f. o. b. Morrill, Nebr., area.
Baby lima, bagged, 734,000 hundredweight.	No. 1 grade 1948[1] and 1949 crops: $6.91 per 100 pounds, basis f. o. b. California area.
Cranberry beans, bagged, 75,000 hundredweight.	No. 1 grade 1949 and 1950 crops: $9.13 per 100 pounds, basis f. o. b. California and Michigan areas.
Austrian winter pea seed, bagged, 2,300,000 hundredweight.	$4.50 per 100 pounds, basis f. o. b. point of production; plus paid-in freight, as applicable.
Blue lupine seed, bagged, 1,260,000 hundredweight.	$5 per 100 pounds, basis f. o. b. point of production; plus paid-in freight, as applicable.
Kobe lespedeza, seed, bagged, 5,680 hundredweight.	$13.40 per 100 pounds, basis f. o. b. point of production; plus paid-in freight, as applicable.
Common and Willamette vetch seed, bagged, 15,000 hundredweight.	$7 per 100 pounds, basis f. o. b. point of production; plus paid in freight, as applicable.
Alfalfa seed (southern, certified or registered), bagged, 11,800 hundredweight.	$26.94 per 100 pounds, basis f. o. b. point of production; plus paid-in freight, as applicable.
Red clover seed (uncertified), bagged, 60,000 hundredweight.	$37.53 per 100 pounds, basis f. o. b. point of production; plus paid-in freight, as applicable.
Wheat, bulk, 5,000,000 bushels	This wheat is available only when premium wheat is required or where emergency situations exist. Basis in store, the market price but in no event less than the applicable 1951 loan rate for the class, grade, quality, and location, plus: (1) 23 cents per bushel if received by truck or, (2) 18 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Kansas City, No. 1 HW, ex rail or barge, $2.63; Minneapolis, No. 1 DNS, ex rail or barge $2.65; Chicago, No. 1 RW, ex rail or barge $2.68. NOTE: No wheat will be for sale in the Portland, Oregon, area until further notice.
Oats, bulk, 8,000,000 bushels	At points of production, basis in store, the market price but not less than the applicable 1951 county loan rate plus: (1) 12 cents per bushel, if received by truck, or (2) 11 cents per bushel, if received by rail or barge. At other points, the foregoing plus average paid-in freight. Examples of minimum prices, per bushel: Chicago, No. 3 or better, ex rail or barge, 95 cents; Minneapolis, No. 3 or better, ex rail or barge, 91 cents.
Barley, bulk, 19,000,000 bushels	Basis in store, the market price but in no event less than the applicable 1951 loan rate for the class, grade, quality, and location, plus: (1) 19 cents per bushel if received by truck, or (2) 15 cents per bushel if received by rail or barge. Examples of minimum prices per bushel: Minneapolis, No. 1 barley, ex rail or barge, $1.47; San Francisco, No. 1 Western barley, ex rail or barge, $1.52.
Corn, bulk, 50,000,000 bushels	At points of production, basis in store, the market price but not less than the applicable 1951 county loan rate for No. 3 yellow plus: (1) 13 cents per bushel, if received by truck, or (2) 11 cents per bushel, if received by rail or barge. At other locations, the foregoing plus average paid-in freight. Examples of minimum prices per bushel: Chicago, No. 3 yellow, $1.86; St. Louis, No. 3 yellow, $1.88; Minneapolis, No. 3 yellow, $1.77; Omaha, No. 3 yellow, $1.79; Kansas City, No. 3 yellow, $1.84. For other classes, grades, and quality, market differentials will apply.

[1] The same lots also are available at export sales prices announced today.

Ceiling Price Certification. Any purchaser from CCC of nonfat dry milk solids, or raw linseed oil, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

OCTOBER EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export sales price
Dried whole eggs: 1950 pack (packed in barrels and drums) in carload lots only. 10 million pounds.	(1) 40 cents per pound. f. a. s. vessel any U. S. Gulf or East coast port; or (2) 40 cents per pound "in store" at location of stock, less freight based on the average gross shipping weight calculated at the lowest export freight rate ("in store" means in storage at warehouse, but with any prepaid storage and outhandling charges for the benefit of the buyer).
Dry edible beans:	No. 1 grade 1948 crop delivered on track present location, on basis costs and freight paid to f. a. s. vessel at locations shown below:
Pinto, bagged, 500,000 hundredweight.[2]	$4.90 per 100 pounds, San Francisco Bay area and Portland, Oregon; $5 per 100 pounds, U. S. Gulf ports. (See note below.)
Pea, bagged, 75,000 hundredweight.[1 2]	For export to Western Hemisphere countries—$6.50 per 100 pounds East Coast ports. For export to other than Western Hemisphere countries—$5.50 per 100 pounds, East Coast ports.
Great Northern, bagged, 526,000 hundredweight.[1 2]	$6.50 per 100 pounds, Portland, Oreg. (26,000 hundredweight only stored at The Dalles, Oreg.); $6.60 per 100 pounds, U. S. Gulf ports. (See note below.)
Baby lima, bagged, 92,000 hundred weight.[2]	$5 per 100 pounds, San Francisco Bay area.
Red kidney, bagged, 330,000 hundred weight.[1 2]	$6.50 per 100 pounds, New York City.
	NOTE: "U. S. Gulf ports" means ports with freight rates not greater than to New Orleans. Any excess freight will be for account of the buyer.
	Discounts for grades on all beans: No. 2, 25 cents less than No. 1; No. 3, 50 cents less than No. 1; appropriate discounts will also be given for "offcolor" beans.
	At CCC's option, 1949 crop beans may be furnished in place of 1948 beans in instances where stocks of 1948 beans of the type and grade desired are exhausted.
Austrian winter pea seed, bagged, 2,300,000 hundredweight.[2]	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.

[1] *Ceiling Price Certification.* Any purchaser from CCC of Red Kidney beans or Great Northern beans for export or of pea beans for export to Western Hemisphere countries, must be able and will be required to certify that the price paid to CCC does not exceed the highest ceiling price he could pay any of his usual suppliers for the commodity in the quantity and at the place and season that delivery is made.

[2] These same lots also are available at domestic sales prices announced today.

(Pub. Law 439, 81st. Cong.)

Issued: October 4, 1951.

[SEAL] HAROLD K. HILL,
Acting President, Commodity Credit Corporation.

[F. R. Doc. 51-12183; Filed, Oct. 9, 1951; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Project No. 739]

APPALACHIAN ELECTRIC POWER CO.

NOTICE OF CONTINUANCE OF HEARING

OCTOBER 3, 1951.

Upon consideration of the request by Counsel for Appalachian Electric Power Company, filed October 2, 1951, for continuance of the hearing now scheduled for October 8, 1951, in the above-designated matter;

Notice is hereby given that the hearing in the above-designated matter be and it is hereby continued to November 19, 1951, at 10:00 a. m., in the Commission's Hearing Room, 1800 Pennsylvania Avenue NW., Washington, D. C.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-12155; Filed, Oct. 9, 1951; 8:47 a. m.]

[Project No. 2087]

BLUE RIDGE ELECTRIC MEMBERSHIP CORP.

ORDER FIXING HEARING

SEPTEMBER 27, 1951.

On June 6, 1951, Blue Ridge Electric Membership Corporation, of Lenoir, North Carolina, filed application for preliminary permit, under the Federal Power Act for a proposed hydroelectric development on South Fork of New River in Ashe and Wilkes Counties, North Carolina.

The proposed project, known as the Glendale Springs development, has been designated as Project No. 2087, and according to the application would consist of an earth and rock fill dam across South Fork of New River approximately 2,000 feet upstream from North Carolina State Highway No. 16 bridge, with spillway crest elevation about 2,870 feet (U. S. G. S. datum) creating a reservoir of 200,000 acre feet of usable storage capacity with a 40 foot drawdown; a tunnel about 13,000 feet long to divert water across the divide to the Middle Fork of Reddies River; and a powerhouse on the Middle Fork of Reddies River having an installed capacity of about 88,500 horsepower.

Public notice of the filing of the application has been given.

Numerous protests against the application have been received from certain State officials, counties, and municipalities, and from local individuals, corporations, and associations.

No construction is authorized under a preliminary premit. Such a permit, if issued, would merely give the permittee, during the period of the permit, the right to priority of application for license while the permittee undertakes the necessary studies and examinations, including the preparation of maps and plans, in order to determine the economic feasibility of the proposed project, the means of securing financial arrangements for construction, the market for the project power, and the securing of all other information necessary for inclusion in an application for license, should one be filed.

The Commission finds: It is in the public interest to hold a public hearing on the aforementioned application for preliminary permit for proposed Project No. 2087.

The Commission orders: Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Commission by the Federal Power Act, particularly sections 4, 6, and 308 thereof, and the Commission's rules of practice and procedure (in force January 1, 1948, as amended and supplemented), a public hearing be held on the 25th day of October 1951, at 10:00 a. m., e. s. t., in the Court Room, 2d Floor, U. S. Post Office and Court House Building, Roanoke, Virginia.

Date of issuance: October 4, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-12153; Filed, Oct. 9, 1951; 8:46 a. m.]

[Docket No. G-1776]

V-M PIPELINE CO.

ORDER FIXING DATE OF HEARING

OCTOBER 4, 1951.

On August 23, 1951, V-M Pipeline Company (V-M), an Illinois corporation, having its principal place of business at Chicago, Illinois, filed an application pursuant to section 7 of the Natural Gas Act.

V-M seeks a certificate of public convenience and necessity authorizing the construction, acquisition, and operation of certain natural-gas facilities, to-wit: to acquire by purchase from its affiliate B-V Pipeline Company and operate a 4½-inch natural-gas pipeline of approximately 8.2 miles in length extending from Southeastern Illinois Gas Company's gas-distribution facilities in Vandalia, Illinois, northeastwardly to a point near Brownstown, Illinois; to construct and operate a 4½-inch natural-gas pipeline of approximately 7.4 miles in length extending from a point of connection with the said pipeline to be acquired from B-V Pipeline Company eastwardly to a point of connection with the natural-gas pipeline owned by Texas Illinois Natural Gas Pipeline Co.; to construct and operate a 4½-inch natural-gas pipeline of approximately 8.4 miles in length extending from a point of connection with the existing distribution system of Southeastern Illinois Gas Company in Metropolis, Illinois, in a northwesterly direction to a point of connection with a metering station on the natural-gas pipeline owned by Trunkline Gas Supply Company; to construct and operate town-border stations including metering and regulating equipment at the terminus of the pipeline extending to Vandalia, Illinois, and the pipeline extending to Metropolis, Illinois. Due notice of the filing of such application has been given, including publication in the FEDERAL REGISTER on September 13, 1951 (16 F. R. 9292).

V-M has requested that this application be heard under the shortened procedure provided by § 1.32 (b) (18 CFR

1.32 (b)) of the Commission's rules of practice and procedure.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a public hearing be held on October 22, 1951, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: October 4, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-12154; Filed, Oct. 9, 1951; 8:47 a. m.]

[Docket No. G-1802]

SOUTHERN COUNTIES GAS CO. OF CALIFORNIA

ORDER SUSPENDING PROPOSED RATE SCHEDULE AND PROVIDING FOR HEARING

OCTOBER 3, 1951.

On September 4, 1951, pursuant to Part 154 of the Commission's general rules and regulations, Southern Counties Gas Company of California (Southern Counties) filed with the Commission proposed Second Revised Sheets Nos. 4 and 5 to its FPC Gas Tariff, Original Volume No. 1, setting forth therein its proposed Rate Schedule F-1, such revised sheets being designed to supersede First Revised Sheets Nos. 4 and 5 to said FPC Gas Tariff.

The proposed rate schedule would increase the presently effective rates and charges to San Diego Gas & Electric Company, Southern Counties' sole interstate wholesale customer, by approximately $276,000 for the 12-month period ending May 1952.

Copies of the proposed rate schedule, together with copies of material submitted by Southern Counties to this Commission pursuant to § 154.63 of the Commission's general rules and regulations (18 CFR 154.63), were transmitted by Southern Counties to its said wholesale customer.

Southern Counties bases its proposal for increased rates primarily upon a proposed rate increase of El Paso Natural Gas Company, which supplies natural gas to Southern Counties, which increase has not taken effect but has been suspended by the Commission by an order dated May 29, 1951, in Docket No. G-1696. Southern Counties seeks to obtain "the objective of coordinating the effective date of its increase in rate to the San Diego company with the contemplated effective date for the increase in rate which it will pay the El Paso Natural Gas Company"; and to that end Southern Counties requests that—if the Commission, pursuant to section 4 (e) of the Natural Gas Act, suspends the operation of the proposed rate pending hearing and decision thereon—(1) the filing date of the proposed rate schedule be established retroactively to May 1, 1951; or (2) the five-month suspension period specified in section 4 (e) operate only to November 1, 1951, which date applicant avers is "concurrent with the time schedule in the Commission's May 29, 1951, 'Order Suspending Changes in Rate Schedules of the El Paso Natural Gas Company in Docket No. G-1696' "; or (3) the suspension procedure be eliminated and the proposed rate increase be made effective on November 1, 1951.

Under the provisions of section 4 (d) of the act, unless the Commission otherwise orders, no change shall be made by any natural-gas company "except after thirty days' notice to the Commission and to the public." The proposed change having been filed here on September 4, 1951, the addition of a thirty-day notice period would bring the effective date to October 5, 1951, if the proposed rate were not suspended under the provisions of section 4 (e). If, however, the proposed increase is to be suspended, Southern Counties' requests (1) and (2) described above concerning proposed effective dates are contrary to the provisions of section 4 (e) that the operation of a proposed increased rate may be suspended for a five-month period pending hearing and decision thereon, and that, "If the proceeding has not been concluded and an order made at the expiration of the suspension period, on motion of the natural-gas company making the filing, the proposed change of rate" shall go into effect, subject to the right of the Commission to require the furnishing of a bond conditioned upon the company's refunding amounts in excess of those rates determined by the Commission to be proper. In this manner, a proposed increase may be made effective at or after the expiration of the suspension period. No provision is made for an earlier effective date under these circumstances, even upon the posting of a bond.

The rates, charges, and classifications set forth in Second Revised Sheets Nos. 4 and 5 to Southern Counties' FPC Gas Tariff, Original Volume No. 1, comprising the proposed new Rate Schedule F-1 may be unjust, unreasonable, unduly discriminatory and preferential, and may place an undue burden upon the ultimate consumers of the natural gas.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications, and services set forth in Southern Counties' Second Revised Sheets Nos. 4 and 5 to its FPC Gas Tariff, Original Volume No. 1, and that said tariff sheets filed in this proceeding be suspended pending hearing and decision thereon.

The Commission orders:

(A) A public hearing be held at a date and place hereafter to be fixed by the Commission concerning the lawfulness of the rates, charges, classifications and services, subject to the jurisdiction of the Commission, as set forth in Second Revised Sheets Nos. 4 and 5 to FPC Gas Tariff, Original Volume No. 1, filed by Southern Counties Gas Company of California.

(B) Pending such hearing and decision thereon, said tariff sheets filed in this proceeding by Southern Counties Gas Company of California on September 4, 1951, be and they hereby are suspended and the use thereof is deferred until March 5, 1952, and until such further time thereafter as such tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: October 4, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 51-12152; Filed, Oct. 9, 1951; 8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[General Overriding Regulation 10, Special Order 3]

RESELLERS OF GLYCO-THYMOLINE MANUFACTURED BY KRESS AND OWEN CO.

ADJUSTMENT OF CEILING PRICES

Statement of considerations. This special order is issued pursuant to section 5 of General Overriding Regulation 10, to adjust ceiling prices for wholesalers and retailers based on the adjusted ceiling prices established for Kress and Owen Company by Letter Order No. L-66 under General Overriding Regulation 10. In that Letter Order, Kress and Owen, having made the showing required by General Overriding Regulation 10 for such an adjustment, was granted a 20 percent increase in its ceiling prices for Glycol-Thymoline which were established by the General Ceiling Price Regulation.

In the judgment of the Director of Office of Price Stabilization, adjustment in the ceiling prices of resellers of Glyco-Thymoline is necessary and this order adjusts these prices by granting an increase of 20 percent in their ceiling prices established under the General Ceiling Price Regulation. It is the opinion of the Director that the wholesale and retail prices established by this special order are not substantially out of line with ceiling prices established for other sellers of similar commodities.

Special provisions. For the reasons set forth in the Statement of Considerations

and pursuant to section 5 of General Overriding Regulation 10, this special order is hereby issued.

1. After the effective date of this special order wholesalers and retailers of Glyco-Thymoline, manufactured by Kress and Owen Company, New York, New York, may adjust their ceiling prices for that product determined under the General Ceiling Price Regulation by increasing such ceiling prices by 20 percent.

2. All provisions of the General Ceiling Price Regulation not inconsistent with this special order shall continue to apply to resellers of Glyco-Thymoline.

3. The ceiling prices established by this special order are applicable to sales of Glyco-Thymoline by resellers in the 48 States of the United States and in the District of Columbia.

4. This special order or any provision thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective October 9, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

October 8, 1951.

[F. R. Doc. 51-12234; Filed, Oct. 8, 1951; 5:01 p. m.]

[General Ceiling Price Regulation, Supplementary Regulation 26, Special Order 1]

RESELLERS FOR HOUBIGANT #242 CHERAMY SKIN BALM, 16 OZ.

ADJUSTMENT OF CEILING PRICES

Statement of considerations. In accordance with section 4 of Supplementary Regulation 26 to the General Ceiling Price Regulation, the Houbigant Sales Corporation has been granted an adjustment of its ceiling prices for #242 Cheramy Skin Balm, 16 oz., by Letter Order No. L-15 under General Ceiling Price Regulation, Supplementary Regulation 26, section 4, on the basis of a showing by Houbigant that it had a special deal in effect during the period from December 19, 1950, to January 25, 1951.

The letter order establishes as Houbigant's ceiling prices for sales to resellers of #242 Cheramy Skin Balm, 16 oz., its regular prices and discount structure in effect prior to the special deal.

It accordingly appears appropriate to grant Houbigant's request that a corresponding adjustment be made in the ceiling prices of resellers of this commodity, permitting each reseller to revert to the prices for #242 Cheramy Skin Balm, 16 oz., which he had in effect prior to the special deal. In the opinion of the Director, the wholesale and retail prices established by this special order are no higher than the level of the ceiling prices established by the General Ceiling Price Regulation.

Special provisions. For the reasons set forth in the Statement of Considerations, and pursuant to section 4 of Supplementary Regulation 26 to the General Ceiling Price Regulation, this special order is issued.

1. After the effective date of this special order, the ceiling prices for #242 Cheramy Skin Balm, 16 oz., for sale at wholesale or retail, shall be determined under the General Ceiling Price Regulation, except that, for the purpose of determining their ceiling prices for #242 Cheramy Skin Balm, 16 oz., under that regulation, wholesalers and retailers may use as the "base period" the period from November 1, 1950, to January 25, 1951, inclusive, instead of the period from December 19, 1950, to January 25, 1951, inclusive.

2. All provisions of the General Ceiling Price Regulation not inconsistent with this special order shall continue to apply to resellers of #242 Cheramy Skin Balm, 16 oz.

3. This special order applies to sales in the 48 states of the United States and the District of Columbia.

4. This special order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

Effective date. This special order shall become effective October 9, 1951.

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

OCTOBER 8, 1951.

[F. R. Doc. 51-12235; Filed, Oct. 8, 1951; 5:01 p. m.]

[Region 1, Redelegation of Authority No. 9]

DIRECTORS OF DESIGNATED DISTRICT OFFICES; REGION I

REDELEGATION OF AUTHORITY TO AUTHORIZE MARKUPS IN EXCESS OF APPENDIX E OF CPR 7, AND TO PERMIT PRICING METHODS FOR SETS (GROUPS OF ARTICLES) TO WHICH SERVICES HAVE BEEN ADDED AND FOR REPAIRED OR RECONDITIONED ARTICLES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. 1, pursuant to delegation of authority No. 5 (16 F. R. 3672) this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Portland, Maine, and Montpelier, Vermont, District Office of the Office of Price Stabilization to authorize, by order, in accordance with section 39 (b) (3) of Ceiling Price Regulation 7, markups higher than those listed in Appendix E of that regulation.

2. Authority is hereby redelegated to the Directors of the Portland, Maine, and Montpelier, Vermont, District Offices of the Office of Price Stabilization to permit, by order, in accordance with section 39 (c) (2) of Ceiling Price Regulation 7, sellers to add to the total net costs of the constituent articles of assembled sets (groups of articles) to which services have been added, the cost of the services provided and a markup in line with the level of prices established by that regulation.

3. Authority is hereby redelegated to the Directors of the Portland, Maine, and Montpelier, Vermont, District Offices of the Office of Price Stabilization to permit, by order, in accordance with section 39 (d) of Ceiling Price Regulation 7, sellers to add to the ceiling price established under that regulation the actual net cost of reconditioning or repairing the articles to be sold.

This redelegation of authority is effective as of September 11, 1951.

JOHN M. O'ROURKE,
Director, Regional Office No. 1.

OCTOBER 8, 1951.

[F. R. Doc. 51-12241; Filed, Oct. 8, 1951; 5:02 p. m.]

[Region 1, Redelegation of Authority No. 10]

DIRECTORS OF DESIGNATED DISTRICT OFFICES; REGION 1

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 8 (16 F. R. 5659), as amended (16 F. R. 6640), this redelegation of authority is hereby issued.

1. Authority to act under sections 15 (c), 26a, 28a and 28b of CPR 14, sections 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b) of CPR 16. Authority is hereby redelegated to the Directors of the Portland, Maine, and Montpelier, Vermont District Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a and 28b of CPR 14, sections 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b) of CPR 16.

2. Authority to act under section 21a of CPR 15. Authority is hereby redelegated to the Directors of the Portland, Maine, and Montpelier, Vermont, District Offices of the Office of Price Stabilization to act on all applications, price actions and adjustments under the provisions of section 21a of CPR 15.

This redelegation of authority is effective as of September 11, 1951.

JOHN M. O'ROURKE,
Director, Regional Office No. 1.

OCTOBER 8, 1951.

[F. R. Doc. 51-12242; Filed, Oct. 8, 1951; 5:03 p. m.]

[Region I, Redelegation of Authority No. 11]

DIRECTORS OF DESIGNATED DISTRICT OFFICES; REGION I

REDELIGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 13 (16 F. R. 6806) this redelegation of authority is hereby issued.

1. Authority to act under section 13 of CPR 11, as amended. Authority is hereby redelegated to the Directors of

the Portland, Maine, and Montpelier, Vermont District Offices of the Office of Price Stabilization to act on all applications for price action and adjustment under the provisions of section 13 of CPR 11, as amended.

This redelegation of authority is effective as of September 11, 1951.

JOHN M. O'ROURKE,
Director, Regional Office No. 1.

OCTOBER 8, 1951.

[F. R. Doc. 51-12243; Filed, Oct. 8, 1951; 5:03 p. m.]

[Region I, Redelegation of Authority No. 12]

DIRECTORS OF DESIGNATED DISTRICT OFFICES; REGION I

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 14 (16 F. R. 7431) this redelegation of authority is hereby issued.

1. Authority to act under General Ceiling Price Regulation, SR 45. Authority is hereby redelegated to the Directors of the Portland, Maine, and Montpelier, Vermont District Offices of the Office of Price Stabilization to act on all applications for adjustment under the provisions of sections 1 through 6 inclusive, of General Ceiling Price Regulation, SR 45, as amended.

This redelegation of authority is effective as of September 11, 1951.

JOHN M. O'ROURKE,
Director, Regional Office No. 1.

OCTOBER 8, 1951.

[F. R. Doc. 51-12244; Filed, Oct. 8, 1951; 5:03 p. m.]

[Region I, Redelegation of Authority No. 13]

DIRECTORS OF DESIGNATED DISTRICT OFFICES; REGION I

REDELEGATION OF AUTHORITY TO PROCESS INITIAL REPORTS FILED BY CERTAIN RESTAURANT OPERATORS UNDER CPR 11

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, No. I, pursuant to delegation of authority No. 17 (16 F. R. 8158) this redelegation of authority is hereby issued.

1. Authority to act under section 6 of CPR 11. Authority is hereby redelegated to the Directors of the Portland, Maine, and Montpelier, Vermont District Offices of the Office of Price Stabilization to process the initial reports filed under section 6 of CPR 11 and to revise food cost per dollar of sale ratio referred to in section 4 thereof.

This redelegation of authority is effective as of September 11, 1951.

JOHN M. O'ROURKE,
Director, Regional Office No. 1.

OCTOBER 8, 1951.

[F. R. Doc. 51-12245; Filed, Oct. 8, 1951; 5:03 p. m.]

[Region V, Redelegation of Authority No. 3]

DIRECTORS OF DISTRICT OFFICES; REGION 5

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of the Office of Price Stabilization, No. 5., pursuant to Delegation of Authority 17 (16 F. R. 8158), this Redelegation of Authority is hereby issued.

1. Authority is hereby redelegated to the Directors of the Atlanta, Georgia; Birmingham, Alabama; Columbia, South Carolina; Jackson, Mississippi; Jacksonville, Florida; Memphis, Tennessee; Miami, Florida; Montgomery, Alabama; Nashville, Tennessee and Savannah, Georgia District Offices of the Office of Price Stabilization to process the initial reports filed under section 6 of CPR 11 and to revise food cost per dollar of sales ratio referred to in section 4 thereof.

This Redelegation of Authority is effective as of September 12, 1951.

GEORGE D. PATTERSON, Jr.,
Director, Regional Office No. 5.

OCTOBER 8, 1951.

[F. R. Doc. 51-12246; Filed, Oct. 8, 1951; 5:04 p. m.]

[Region VIII, Redelegation of Authority No. 1]

DIRECTORS OF DISTRICT OFFICES; REGION VIII

REDELEGATION OF AUTHORITY TO AUTHORIZE MARKUPS IN EXCESS OF APPENDIX E OF CPR 7, AND TO PERMIT PRICING METHODS FOR SETS (GROUPS OF ARTICLES) TO WHICH SERVICES HAVE BEEN ADDED AND FOR REPAIRED OR RECONDITIONED ARTICLES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 5 dated April 28, 1951 (16 F. R. 3672), this redelegation of authority is hereby issued.

1. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to authorize, by order, in accordance with section 39 (b) (3) of Ceiling Price Regulation 7, as amended, markups higher than those listed in Appendix E of that regulation.

2. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to permit, by order, in accordance with section 39 (c) (2) of Ceiling Price Regulation 7, as amended, sellers to add to the total net costs of the constituent articles of assembled sets (groups of articles) to which services have been added, the cost of the services provided and a markup in line with the level of prices established by that regulation.

3. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Eighth Region, to permit, by order, in accordance with section 39 (d) of Ceiling Price Regulation 7, as amended, sellers to add to the ceiling price established under that regulation the actual net cost of reconditioning or repairing the articles to be sold.

This redelegation of authority is effective as of September 14, 1951.

PHILIP NEVILLE,
Regional Director, Region VIII.

OCTOBER 8, 1951.

[F. R. Doc. 51-12236; Filed, Oct. 8, 1951; 5:01 p. m.]

[Region VIII, Redelegation of Authority No. 2]

DIRECTORS OF DISTRICT OFFICES; REGION VIII

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS FOR ADJUSTMENT OF PRICES RELATING TO ICE

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to the provisions of Delegation of Authority No. 14, dated July 27, 1951 (16 F. R. 7431), this redelegation of authority is hereby issued.

1. Authority to act under GCPR, SR 45.

Authority is hereby redelegated to the Directors of the District Offices of the Office of Price Stabilization, Region VIII, to act on all applications for adjustment under the provisions of sections 1-6 inclusive, of GCPR, SR 45, as amended.

This redelegation of authority is effective as of September 14, 1951.

PHILIP NEVILLE,
Regional Director, Region VIII.

OCTOBER 8, 1951.

[F. R. Doc. 51-12237; Filed, Oct. 8, 1951; 5:01 p. m.]

[Region VIII, Redelegation of Authority No. 3]

DIRECTORS OF DISTRICT OFFICE; REGION VIII

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 13, dated July 13, 1951 (16 F. R. 6806), this redelegation of authority is hereby issued.

1. Authority to act under section 13 of CPR 11, as amended.

Authority is hereby redelegated to the Directors of the District Offices, Office of Price Stabilization, Region VIII, to act on all applications for price action and adjustment under the provisions of section 13 of CPR 11, as amended.

This redelegation of authority is effective as of September 14, 1951.

PHILIP NEVILLE,
Regional Director, Region VIII.

OCTOBER 8, 1951.

[F. R. Doc. 51-12238; Filed, Oct. 8, 1951; 5:02 p. m.]

[Region VIII, Redelegation of Authority No. 4]

DIRECTORS OF DISTRICT OFFICES; REGION VIII

REDELEGATION OF AUTHORITY TO ACT ON APPLICATIONS PERTAINING TO CERTAIN FOOD AND RESTAURANT COMMODITIES

By virtue of the authority vested in me as Director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 8 dated June 13, 1951 (16 F. R. 5659), and Delegation of Authority No. 8, Amendment 1 dated July 6, 1951 (16 F. R. 6640), this redelegation of authority is hereby issued.

1. Authority to act under sections 15 (c), 26a, 28a and 28b of CPR 14, sections 21a, 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b) of CPR 16. Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII, to act on all applications for price action and adjustment under the provisions of sections 15 (c), 26a, 28a, and 28b of CPR 14, sections 21a, 26, 26a, 27 and 30 (b) of CPR 15, and sections 22 (b), 24, 24a and 26 (b), of CPR 16.

This redelegation of authority is effective as of September 14, 1951.

PHILIP NEVILLE,
Regional Director, Region VIII.

OCTOBER 8, 1951.

[F. R. Doc. 51-12239; Filed, Oct. 8, 1951; 5:02 p. m.]

[Region VIII, Redelegation of Authority No. 5]

DIRECTORS OF DISTRICT OFFICES; REGION VIII

REDELEGATION OF AUTHORITY TO PROCESS INITIAL REPORTS FILED BY CERTAIN RESTAURANT OPERATORS UNDER CPR 11

By virtue of the authority vested in me as director of the Regional Office of Price Stabilization, Region VIII, pursuant to Delegation of Authority No. 17 dated August 15, 1951 (16 F. R. 8158), this redelegation of authority is hereby issued.

1. Authority to act under section 6 of CPR 11.

Authority is hereby redelegated to the District Directors, Office of Price Stabilization, Region VIII, to process the initial reports filed under section 6 of CPR 11, and to revise food cost per dollar of sale ratio referred to in section 4 thereof.

This redelegation of authority is effective as of September 14, 1951.

PHILIP NEVILLE,
Regional Director, Region VIII.

OCTOBER 8, 1951.

[F. R. Doc. 51-12240; Filed, Oct. 8, 1951; 5:02 p. m.]

RENEGOTIATION BOARD

EXTENSION OF TIME FOR FILING FINANCIAL STATEMENTS UNDER RENEGOTIATION ACT OF 1951

All persons having fiscal years ending prior to November 30, 1951, are hereby granted an extension of time to March 1, 1952, for filing the financial statement required of such persons by section 105 (e) (1) of the Renegotiation Act of 1951.

By order of the Renegotiation Board,

JOHN T. KOEHLER,
Chairman.

OCTOBER 5, 1951.

[F. R. Doc. 51-12181; Filed, Oct. 9, 1951; 8:49 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-399]

GROCERY INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties, including farm, labor, and consumer groups, affected by or having an interest in the proposed trade practice rules for the Grocery Industry (which constitute a proposed revision of the trade practice rules for the Grocery Industry as promulgated by the Commission on March 14, 1932), to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon application to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than November 1, 1951. Also, opportunity for them to be heard orally will be afforded at the hearing beginning at 10 a. m., November 1, 1951, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

Members of the industry are persons, firms, corporations and organizations engaged in marketing one or more products to or in the grocery trade, and include manufacturers, brokers, wholesalers, and retailers of such grocery products.

Issued: October 4, 1951.

By the Commission.

[SEAL] D. C. DANIEL,
Secretary.

[F. R. Doc. 51-12140; Filed, Oct. 9, 1951; 8:56 a. m.]

HOUSING AND HOME FINANCE AGENCY

Federal Housing Administration

FIELD ORGANIZATION

The following entries in section 22 (b) (5) are amended as indicated:

1. In the address shown opposite "Kansas City, Missouri" delete "Fidelity Bldg." and substitute therefor "Federal Office Bldg."

2. In the address shown opposite "San Antonio, Texas" delete "Bldg. No. 3" and substitute therefor "San Antonio Federal Center."

3. Delete the address "de Lendrecie Bldg." opposite "Fargo, North Dakota" and substitute therefor the following address: "500 Pioneer Life Bldg., 203 Tenth Street North."

4. Immediately following "Western Boundary" in the column headed "Jurisdiction" opposite "Long Beach, California," delete "Alameda Street from Wilmington Harbor North to Olive Street" and substitute therefor "Starting at Alameda and Olive Streets, thence North on Alameda Street to Compton Boulevard; West on Compton Boulevard to Avalon Boulevard; South on Avalon Boulevard to Redondo Beach Boulevard; West on Redondo Beach Boulevard to the Easterly limits of the City of Hermosa Beach; and South and West along the city limits of Hermosa Beach to the Pacific Ocean."

5. Under the State of Massachusetts and following "Boston" delete: "Springfield,[1] 95 State Street (see Boston)" and "Worcester,[1] Post Office-Court House Bldg. (see Boston)."

6. Under the State of Georgia and following "Atlanta" delete: "Savannah,[1] Federal Bldg. (see Atlanta)."

7. Under the State of Virginia and following "Richmond" delete: "Roanoke,[1] Shenandoah Bldg. (see Richmond)."

8. Under the State of North Carolina and following "Charlotte" delete: "Raleigh,[1] York Bldg. (see Greensboro)."

[SEAL] OSBORNE KOERNER,
Director, Administrative Services.

OCTOBER 4, 1951.

[F. R. Doc. 51-12156; Filed, Oct. 9, 1951; 8:47 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18521]

NATIONALS OF THE NETHERLANDS

Correction

In F. R. Doc. 51-11869, appearing at page 10097, of the issue for Wednesday, October 3, 1950, make the following changes in Exhibit A:

1. Under "Issue" for Port of New York Authority, the reference to "4½ percent bond" should read "4¼ percent bond."

2. The entry for St. Louis Southwestern Ry. Co. should appear as follows:

Column I Issue	Column II Principal amount	Column III Nos.
St. Louis Southwestern Ry. Co. first mortgage 4 percent bond certificates, due Nov. 1, 1989.	1,000	861, 1124, 16270.